FEDERAL REGISTER

VOLUME 18 NUMBER 191

Washington, Wednesday, September 30, 1953

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 55—SAMPLING, GRADING, GRADE LABELING, AND SUPERVISION OF PACKAGING OF EGGS, AND EGG PRODUCTS

SUBPART C—SANITATION, FACILITIES, AND OPERATING PROCEDURES

MINIMUM REQUIREMENTS FOR SANITATION, FACILITIES, AND OPERATING PROCEDURES IN OFFICIAL PLANTS PROCESSING AND PACKAGING EGG PRODUCTS; CORRECTION

Minimum requirements for sanitation, facilities, and operating procedures in official plants processing and packaging egg products were published in the FEDERAL REGISTER on September 18, 1953 (18 F. R. 5583) Several paragraphs in §§ 55.219 and 55.220 were inadvertently omitted from the document (F. R. Doc. 53-8053) that was submitted for publication. The aforesaid document is hereby corrected by the addition of the provisions set forth herein which are the same as published in the notice of rule making published in the FEDERAL REGISTER on June 27, 1953 (18 F. R. 3690)

1. Sections 55.219 and 55.220 are corrected to read as follows:

§ 55.219 *Albumen flake process drying operations.* (a) The fermentation, drying, and curing room shall be kept in a dust-free, clean condition and free of flies, insects, and rodents.

(b) Drying units, racks, and trucks shall be kept in a clean and sanitary condition.

(c) Drying pans, trays, belts, or scrapers, if used, shall be kept in a clean condition, including curing racks if edible product comes into contact with racks.

(d) Oils and waxes used in oiling drying pans or trays shall be of edible quality.

(e) Equipment used for pulverizing or sifting dried albumen shall be kept in a clean condition.

§ 55.220 *Drying rooms and packing room facilities (on or off premises)* (a) The rooms shall be well-lighted.

(b) Ceilings and walls shall have a surface of tile, enamel, paint, or other water-resistant material.

(c) Floors shall be free from cracks or rough surfaces which form pockets for accumulation of water or dirt, and the intersections with walls shall be impervious to water with ample drainage provided.

(d) All packaging equipment and accessories which come into contact with the dried product shall be constructed without open seams and of materials that can be kept clean and which will have no deleterious effect on the product. Service tables shall be of approved metal construction without open seams and all metal surfaces shall be smooth to permit thorough cleaning.

(e) Packaging rooms shall be kept in a clean condition free of flies, insects, and rodents.

(f) Storage racks or cabinets shall be provided for the storing of drying room and packaging room accessories and tools.

(g) Package liners shall be inserted in a sanitary manner, and equipment and supplies used in the operation shall be kept off the floor.

(h) Utensils used in packaging dried eggs shall be kept clean at all times and whenever contaminated shall be washed, rinsed, and sanitized. When not in use scoops, brushes, tampers, etc., shall be stored in sanitary cabinets or on racks provided for this purpose.

(i) Automatic container fillers shall be of a type that will accurately fill given quantities of product into the containers. Scales shall be provided to accurately check the weight of the filled containers. All equipment used in mechanically packaging dried egg products shall be vacuum cleaned daily.

2. Substitute the word "clean" for the word "clear" in paragraph (f) of § 55.223.

(67 Stat. 217)

Issued at Washington, D. C., this 25th day of September 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-8342; Filed, Sept. 29, 1953; 8:48 a. m.]

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

BASIS OF SERVICE

The amendment to the regulations governing the grading and inspection of poultry and edible products thereof and United States classes, standards, and grades with respect thereto (7 CFR Part 70), hereinafter promulgated is pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156, 83d Cong., approved July 28, 1953).

The amendment will grant the Administrator authority to permit uninspected edible products to be brought into official plants operating under inspection service on the basis of specific approval and only for the purpose of rehandling, packaging, freezing, marking, and further distribution, if such operations are supervised by an inspector or governmentally employed grader to assure segregation of inspected and uninspected products and control of official identification marks. This change is deemed desirable in order to permit plants operating under inspection service to utilize certain facilities of their official plants in handling products which originated from other than plants operating under inspection service.

It is hereby found that it would be impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedures in respect to this amendment or delay the effective date thereof for the reasons that (1) it is a relieving restriction and does not require any preparation on the part of applicants for the service, (2) it will enable the packaging and freezing of turkeys not eviscerated under inspection service to be properly frozen in official plants during the current turkey processing season which is now in progress, and (3) this change is largely a matter of administration of the services provided under the inspection and grading programs. The amendment hereinafter set forth is promulgated to become effective upon publication in the FEDERAL REGISTER.

The amendment is as follows: Revise § 70.4 (f) *Inspection in official plants; extent required,* to read as follows:

(f) *Inspection in official plants; extent required.* All dressed poultry that is eviscerated in an official plant where inspection service is maintained shall be processed in a sanitary manner. Dressed poultry may be eviscerated in such plant without inspection for condition and wholesomeness but uninspected and inspected operations may not be carried on simultaneously except in plants where processing rooms (including packing rooms) are separate and effective segregation of inspected and uninspected products is maintained. Evisceration without inspection may be conducted only if an inspector or governmentally employed grader is on duty, at all times when such operations are carried on, for the purpose of (1) effecting adequate segregation of inspected and uninspected products, (2) control of official inspection marks and grade marks, and (3) supervision of sanitation in the official plant. No uninspected edible products or uninspected slaughtered rabbits shall be brought into such plant except as may be specifically approved by the Administrator upon written request and only for the purpose of rehandling, reconditioning, packaging, freezing, marking, and further distribution and only if an inspector or governmentally employed grader is on duty, at all times when such operations are carried on, for the purpose of effecting adequate segregation of uninspected and inspected products and control of official inspection marks and grade marks.

(Sec. 205, 60 Stat. 1090, Pub. Law 156, 83d Cong., 7 U. S. C. 1624)

Issued at Washington, D. C., this 25th day of September 1953.

[SEAL] HOWARD H. GORDON,
Administrator Production and Marketing Administration.

[F. R. Doc. 53-8379; Filed, Sept. 29, 1953; 8:56 a. m.]

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES SUBPART—WHITE-FRINGED BEETLE

REGULATED AREAS

On July 2, 1953, there was published in the FEDERAL REGISTER (18 F. R. 3702) a notice of proposed amendment of § 301.72-2 of the regulations supplemental to the quarantine relating to white-fringed beetles (7 CFR Supp., 301.72-2, as amended). After due consideration of all relevant matters presented and pursuant to the authority conferred upon me by section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161) § 301.72-2 is hereby amended to read as follows:

§ 301.72-2 *Regulated areas.* The following counties, parishes, cities, and towns, or parts thereof, as described, are

designated by the Secretary of Agriculture as regulated areas:

ALABAMA

Baldwin County. All of T. 7 S., R. 6 E.; S2/3 T. 7 S., Rs. 4 and 5 E., including all of the town of Foley; secs. 6 and 7, T. 8 S., R. 4 E., secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; secs. 35 and 36, T. 7 S., R. 3 E., secs. 28, 29, 30, 31, 32, and 33, T. 5 S., R. 4 E., secs. 4, 5, 6, 7, 8, and 9, T. 6 S., R. 4 E., N1/3 T. 6 S., R. 3 E., except secs. 6 and 7; S1/3 T. 5 S., R. 3 E., except secs. 30 and 31; secs. 1, 2, and 3, T. 5 S., R. 2 E., secs. 25, 26, 27, 34, 35, and 36, T. 4 S., R. 2 E.

Clarke County. N1/3 T. 8 N., R. 3 E., and S1/3 T. 9 N., R. 3 E., including all of the town of Grove Hill; and all that area lying within the corporate limits of the town of Jackson.

Coffee County. That part of the county lying south of the south line of T. 5 N.

Conecuh County. T. 5 N., Rs. 9, 10, 11, 12, 13, and 14 E., T. 6 N., Rs. 10, 11, 12, and 13 E., and those parts of T. 4 N., R. 7 E., T. 5 N., Rs. 7 and 8 E., T. 6 N., Rs. 8 and 9 E., and Tps. 7 and 8 N., R. 9 E. lying in Conecuh County.

Covington County. All of Covington County.

Crenshaw County. Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E., and secs. 3, 4, 5, and 6, T. 8 N., R. 18 E., including all of the town of Luverne.

Dallas County. Tps. 13, 14, 15, 16, and 17 N., Rs. 10 and 11 E., the N½ of T. 15 N., Rs. 6, 7, 8, and 9 E., T. 16 N., Rs. 7, 8, and 9 E.

Escambia County. Tps. 1, 2, and 3 N., Rs. 6, 7, and 8 E., secs. 33, 34, 35, and 36, T. 1 N., R. 10 E., and all area south thereof to the Alabama State line.

Geneva County. That part of the county lying west of the east line of R. 21 E.

Jefferson County. Secs. 17, 18, 19, and 20, T. 18 S., R. 3 W., and that area included within the corporate limits of the city of Birmingham.

Lowndes County. All of T. 14 N., R. 12 E.

Mobile County. All that area south of township line which separates T. 1 S. from T. 2 S.

Monroe County. Tps. 3, 4, 5, and 6 N., Rs. 6, 7, 8, and 9 E., Tps. 7, 8, and 9 N., Rs. 6, 7, 8, and 9 E., S½ T. 10 N., Rs. 6, 7, 8, 9, and 10 E.

Montgomery County. Tps. 16 and 17 N., Rs. 17, 18, and 19 E., and that part of T. 18 N., R. 18 E., lying in Montgomery County.

Wilcox County. N½ T. 10 N., Rs. 6, 7, 8, 9, and 10 E., T. 11 N., R. 9 E., sec. 36, T. 12 N., R. 8 E., S⅙ T. 12 N., R. 9 E., Tps. 11 and 12 N., R. 10 E., E⅙ T. 11 N., R. 8 E.

FLORIDA

Escambia County. All of Escambia County.

Holmes County. S⅔ T. 6 N., R. 15 W., except secs. 18, 19, 30, and 31; NE¼ and secs. 22, 23, and 24, T. 5 N., R. 15 W., including all of the town of Smyrna; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 5 N., R. 14 W., secs. 29, 30, 31, and 32, T. 6 N., R. 14 W., and E½ of Tps. 4, 5, 6, and 7 N., R. 18 W.

Jackson County. T. 4 N., Rs. 8 and 9 W., and that part of T. 4 N., R. 10 W. lying east of Chipola River.

Okaloosa County. That part of the county lying north of the south line of T. 2 N.

Santa Rosa County. All of Santa Rosa County.

Walton County. That part of the county lying north of the south line of T. 3 N.

GEORGIA

Baldwin County. That area included within the corporate limits of the city of Milledgeville.

Ben Hill County. That area included within a circle having a 2-mile radius and center at the Ben Hill County Courthouse in Fitzgerald, including all of the city of Fitzgerald.

Berrien County. That area included within the corporate limits of the city of Nashville.

Bibb County. That area included within the Georgia Militia Districts of East Macon, Godfrey, Vineville, Hazzard, and Howard; and that portion of the Georgia Militia District of Rutland lying east of a line beginning at the point where U. S. Highway No. 41 crosses the north boundary of said militia district (Tobesofkee Creek) and running southward along said highway to its junction with Hartley Bridge Road and thence southwestward along said road to the west boundary line of said militia district.

Bleckley County. That area included within the corporate limits of the city of Cochran; and that portion of the Georgia Militia District of Manning included within a boundary beginning at the intersection of Georgia State Highway 112 and the Bleckley-Twiggs County line, thence northeast along said county line to the intersection of the Bleckley, Twiggs, Wilkinson, and Laurens County lines, thence southeast for a distance of 1 mile along the Bleckley-Laurens County line, and thence northwest to the point of beginning.

Bulloch County. That area included within a circle having a 2-mile radius and center at the Bulloch County Courthouse in Statesboro, including all of the city of Statesboro; and that area included within a circle having a 1-mile radius and center at the Georgia and Florida Railroad depot in Portal, including all of the town of Portal.

Burke County. That area, comprising parts of Georgia Militia Districts numbers 60 and 62, bounded on the east by Fitz Branch, on the south by a line beginning at the intersection of Georgia State Highway 56 and the Hephzibah Road and extending due east to its intersection with Fitz Branch, on the west by Hephzibah Road, and on the north by Brier Creek, including all of the city of Waynesboro.

Candler County. That area included within a circle having a 1¼-mile radius and center at the intersection in Metter of Georgia State Highways 23 and 46, including all of the city of Metter.

Coffee County. That area included within the corporate limits of the city of Douglas; an area 2 miles wide beginning at the north corporate limits of the city of Douglas and extending northward along U. S. Highway No. 441 with said highway as a centerline to and bounded on the north by Seventeen Mile Creek; that area included within a circle having a 2-mile radius and center at the Atlanta, Birmingham and Coast Railroad depot in Ambrose, including all of the town of Ambrose; and an area 3 miles wide beginning at a line projected due east and due west from a point on the Georgia and Florida Railroad 1 mile northwest of the railroad depot in Broxton, and extending northwesterly with said railroad as a centerline to and bounded on the north by Georgia State Highway 107.

Crawford County. That area included within a circle having a 1½-mile radius and center at the intersection in Roberta of U. S. Highway No. 80 and Georgia State Highway 7, including all of the city of Roberta and the town of Knoxville.

Crisp County. That area included within the corporate limits of the city of Cordele.

Dodge County. That area included within land lots numbers 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 24, 25, 36, 37, 38, 39, 40, 41, and 42 in the Fifteenth Land District, and land lots numbers 278, 279, 280, 281, 282, 289, 290, 291, 292, 293, 294, 295, 306, 307, 308, 309, 310, 311, and 312 in the Sixteenth Land District, including all of the city of Eastman; and all that area included within the corporate limits of the town of Chester.

Emanuel County. That area included within a circle having a 1½-mile radius and center at the Union Grove Methodist Church in Georgia Militia District No. 49.

Fulton County. That area included within the corporate limits of the city of East Point.

Greene County. That area included within the corporate limits of the city of Greensboro.

Houston County. That area included within the lower Fifth Georgia Militia District, including all of the city of Warner Robins and all of Robins Air Force Base; an area 2 miles wide beginning north of Perry and bounded on the north by Mossy Creek and extending southward along U. S. Highway No. 41 with said highway as a center line to and bounded on the south by Georgia State Highway 26, including all of the city of Perry; and an area 2 miles wide beginning north of Clinchfield and bounded on the north by Big Indian Creek and extending southwesterly along the Southern Railway with said railway as a center line to and bounded on the south by Burnham Branch southwest of Grovania, including all of the communities of Clinchfield and Grovania.

Irwin County. That area included within a circle having a ½-mile radius and center at the intersection in Irwinville of Georgia State Highway 32 and the Jefferson Davis Memorial State Park Road; that area included within a circle having a 2-mile radius and center at the Irwin County Courthouse at Ocilla, including all of the city of Ocilla; an area 1 mile wide bounded on the south and east by the Irwin-Coffee County line and extending northwesterly along the Atlanta, Birmingham and Coast Railroad with said railroad as a center line for a distance of 1¼ miles beyond the Atlanta, Birmingham and Coast Railroad depot in Wray; and an area 2 miles wide beginning at the Atlanta, Birmingham and Coast Railroad in Georgia Militia District No. 1661 and extending southeasterly along Georgia State Highway 32 with said highway as a center line to the east boundary of said militia district.

Jasper County. That area included within Georgia Militia Districts numbers 262, 289, and 295; and that portion of Georgia Militia Districts numbers 288 and 291 lying south of Whiteoak and Murder Creeks.

Jefferson County. That area included within the corporate limits of the city of Louisville; and that area included within a circle having a 1-mile radius and center at the Central of Georgia Railway depot in Bartow, including all of the town of Bartow.

Johnson County. That area included within the corporate limits of the city of Wrightsville; and an area 1 mile wide beginning at the west corporate limits of Wrightsville and extending southwesterly along Georgia State Highway 15 with said highway as a center line to the Ohoopee River.

Laurens County. Those portions of the Georgia Militia Districts of Dublin, Dudley, and Harvard included within an area 2 miles wide beginning at the west corporate limits of Dublin and extending northwesterly along the Macon, Dublin and Savannah Railroad with said railroad as a center line to the Laurens-Wilkinson and Laurens-Bleckley County lines, including all of the towns of Dudley and Montrose and that portion of Allentown lying in Laurens County; that area included within the corporate limits of the city of Dublin; an area 2 miles wide beginning at the north corporate limits of Dublin and extending northward along Georgia State Highway 29 with said highway as a center line for a distance of 3 miles; and that portion of the Georgia Militia District of Smith lying north of the Macon, Dublin and Savannah Railroad and east of Shaddock Creek.

Macon County. That area included within the Georgia Militia District of Marshallville, including all of the town of Marshallville; that portion of the Georgia Militia District of Montezuma lying north of the city of Montezuma and bounded on the east by the

Central of Georgia Railway; and those areas included within the corporate limits of the cities of Montezuma and Oglethorpe.

Monroe County. That area included within the corporate limits of the city of Forsyth.

Montgomery County. That area bounded on the east by the Montgomery-Toombs County line, on the south by Rocky Creek, on the west by Georgia State Highway 29, and on the north by Swift Creek; and those areas included within the corporate limits of the city of Mount Vernon and the town of Ailey.

Newton County. That area included within a circle having a 1-mile radius and center at the Porterdale High School, including all of the town of Porterdale.

Peach County. That area included within the Georgia Militia District of Fort Valley, including all of the city of Fort Valley; and that area included within the corporate limits of the town of Byron.

Putnam County. That area included within the Georgia Militia District of Ashbank.

Richmond County. That portion of the Georgia Militia District of Forest Hills bounded on the south by Raes Creek and Lake Olmsted and on the west by the Berkman Road and a line extended due north from the point of intersection of the Berkman and Washington Roads.

Screven County. That area included within a circle having a 2-mile radius and center at the Screven County Courthouse in Sylvania, including all of the city of Sylvania.

Sumter County. That area included within the corporate limits of the city of Americus; and an area 1 mile wide beginning at the east corporate limits of Americus and extending along U. S. Highway No. 280 with said highway as a center line to Mill Creek.

Taylor County. That area included in the Georgia Militia District of Reynolds, including all of the town of Reynolds; and that area included within a circle having a 2½-mile radius and center at Taylor County Courthouse in Butler, including all of the town of Butler.

Toombs County. That area bounded on the east by the east boundaries of the Georgia Militia Districts of Vidalia and Center, on the south by Rocky Creek, on the west by the Toombs-Montgomery County line, and on the north by Swift Creek, including all of the city of Vidalia.

Treutlen County. That area included within the corporate limits of the city of Soperton; and an area 1 mile wide beginning at the south corporate limits of Soperton and extending southeasterly along Georgia State Highway 29 with said highway as a center line to the Treutlen-Montgomery County line.

Turner County. That area bounded on the east by a line parallel to and ½ mile east of the Sycamore town limits, on the south by a line parallel to and ½ mile south of the Sycamore town limits, on the west by a line parallel to and ½ mile west of the Sycamore town limits, on the north by a line parallel to and ½ mile north of the Sycamore town limits, and the projections of such lines to their intersections, including all of the town of Sycamore; and that part of the Georgia Militia District of Clements included within a circle having a ¾-mile radius and center at the Bethel School.

Twiggs County. That portion of the Georgia Militia District of Higgsville bounded on the east by the Twiggs-Wilkinson County line, on the south by the Twiggs-Bleckley County line, on the north by a line parallel to and 3½ miles north of the Twiggs-Bleckley County line, on the west by a line parallel to and 1 mile west of the Twiggs-Wilkinson County line, and the projections of such lines to their intersections, including all of those portions of the towns of Allentown and Danville lying in Twiggs County.

Washington County. That area included within a circle having a 5-mile radius and center at the Washington County Courthouse in Sandersville, including all of the city of Sandersville and the city of Tennille.

Wheeler County. That area included within land lots numbers 40, 41, 42, 43, 48, 49, 50, 51, 70, 71, 72, 73, 78, 79, 80, 81, 100, 101, 102, and 103, in the Eleventh Land District, including all of the town of Alamo.

Wilkinson County. That portion of the Georgia Militia District of Turkey Creek bounded on the west by the Wilkinson-Twiggs County line, on the south by the Wilkinson-Laurens County line, on the east by a line parallel to and 1¾ miles east of the Wilkinson-Twiggs County line, on the north by a line parallel to and 3½ miles north of the Wilkinson-Laurens County line, and the projections of such lines to their intersections, including all of those portions of the towns of Allentown and Danville lying in Wilkinson County.

LOUISIANA

East Baton Rouge Parish. T. 7 S., Rs. 1 and 2 E.

Iberia Parish. Secs. 24, 37, 38, 39, 53, 55, and 56, T. 13 S., R. 5 E.; and secs. 46, 55, 56, 57, 58, 59, and 60, T. 13 S., R. 6 E.

Jefferson Parish. That part lying north of the township line between Tps. 14 and 15 S.

Orleans Parish. All of Orleans Parish, including the city of New Orleans.

Plaquemines Parish. That part lying north of the township lines between Tps. 15 and 16 S.

Saint Bernard Parish. All of Saint Bernard Parish.

Saint Tammany Parish. Secs. 38, 39, and 40, T. 7 S., R. 11 E.; secs. 40 and 41, T. 8 S., R. 11 E.; and that area lying south of the north line of T. 10 N.

Tangipahoa Parish. Secs. 32, 33, and 50, T. 3 S., R. 7 E., and secs. 4, 5, 8, 9, 10, 50, and 54, T. 4 S., R. 7 E., including all of the town of Amite.

Washington Parish. E⅔ T. 3 S., R. 13 E.; that part of T. 3 S., R. 14 E., west of Pearl River in Washington Parish, including all of the town of Bogalusa; secs. 23, 24, 25, 34, 36, 44, 45, 46, 47, 48, 51, 52, 53, and 54, T. 2 S., R. 10 E.; secs. 3, 10, 14, 15, 39, 40, 41, 42, 43, 46, 48, 49, 50, and 51, T. 3 S., R. 10 E.; secs. 19, 20, 29, 30, 31, 32, 38, and 39, T. 2 S., R. 11 E.; secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 37, 38, 39, 40, 41, 43, 49, and 50, T. 3 S., R. 11 E.

MISSISSIPPI

Covington County. All of Covington County.

Forrest County. All of Forrest County.

George County. Secs. 27, 28, 29, 32, 33, 34, 35, and 36, T. 1 S., R. 6 W., including all of the town of Lucedale; N½ T. 2 S., R. 6 W., except secs. 6, 7, and 18; secs. 5, 6, 7, 8, 17, and 18, T. 2 S., R. 5 W.; and that part of secs. 31 and 32, T. 1 S., R. 5 W., lying south of Mississippi State Highway 15.

Greene County. Secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 2 N., R. 8 W.

Hancock County. All of Hancock County.

Harrison County. All of Harrison County.

Hinds County. Secs. 2, 3, 4, 9, 10, and 11, T. 7 N., R. 1 W.; E5/6 T. 6 N., R. 3 W.; and W1/3 T. 6 N., R. 2 W.

Jackson County. All of Jackson County.

Jefferson Davis County. All of Jefferson Davis County.

Jones County. All of Jones County.

Lamar County. All of Lamar County.

Lauderdale County. Secs. 1, 12, 13, 14, 22, 23, 24, 26, 27, 34, and 35, T. 6 N., R. 15 E.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 6 N., R. 16 E.; sec. 31, T. 7 N., R. 16 E.; and sec. 36, T. 7 N., R. 15 E., including all of the town of Meridian.

Lawrence County. That part lying east of Pearl River.

Marion County. That area included within a boundary beginning where the north line of sec. 36, T. 4 N., R. 19 W., intersects Pearl River, thence downstream along Pearl River to a point where Pearl River intersects the north line of sec. 18, T. 3 N., R. 18 W., thence east along said section line to the SE. corner sec. 11, T. 3 N., R 18 W., then north to the NE. corner sec. 35, T. 4 N., R. 18 W., and thence west along said section line to the point of beginning.

Pearl River County. All of Pearl River County.

Perry County. S2/3 T. 3 N., R. 11 W.; secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 3 N., R. 10 W.; secs. 13, 14, 23, 24, 25, 26, 35, and 36, T. 2 N., R. 9 W.; secs. 5 and 6, T. 4 N., R. 9 W.; secs. 29, 30, 31, and 32, T. 5 N., R. 9 W.; secs. 25, 26, 35, and 36, T. 5 N., R. 10 W.; and secs. 1 and 2, T. 4 N., R. 10 W.

Rankin County. T. 3 N., Rs. 2 and 3 E.; T. 4 N., Rs. 1 and 2 E.; Tps. 5 and 6 N., Rs. 1 and 2 E.

Simpson County. Tps. 9 and 10 N., Rs. 17, 18, and 19 W.; T. 1 N., Rs. 4, 5, and 6 E.; T. 2 N., Rs. 3, 4, and 5 E.

Stone County. All of Stone County.

Warren County. All that area lying within the corporate limits of the city of Vicksburg, and that area included within a boundary beginning at a point where Halls Ferry Road intersects the corporate limits of the city of Vicksburg, thence southeast along said road to the point of its intersection with the range line between Rs. 3 and 4 E., thence south along the range line to the SE. corner sec. 42, T. 15 N., R. 3 E., thence west along the section line to the Mississippi River, thence north along the east bank of the Mississippi River to said corporate limits, and thence along the south corporate limits to the point of beginning.

Wayne County. Secs. 19, 20, 29, 30, 31, and 32, T. 7 N., R. 5 W.; secs. 24, 25, and 36, T. 7 N., R. 6 W.; secs. 6, 7, and 18, T. 8 N., R. 6 W.; secs. 1, 2, 11, 12, 13, and 14, T. 8 N., R. 7 W.

NORTH CAROLINA

Anson County. An area 2 miles wide beginning at the Anson-Union County line and extending easterly along the Seaboard Air Line Railroad with said railroad as a center line to a due north-south line projected through the point of intersection of said railroad with the east corporate limits of Polkton, including all of the towns of Peachland and Polkton.

Brunswick County. All of Eagles Island.

Cumberland County. That area included within a circle having a 4½-mile radius and center at the Atlantic Coast Line Railroad depot in Hope Mills, including all of the town of Hope Mills and all of the communities of Cumberland and Roslin.

Duplin County. That area included within the corporate limits of the town of Warsaw; and an area 2 miles wide beginning at a line projected northeast and southwest along and beyond the north corporate limits of Warsaw and extending northwesterly along U. S. Highway No. 117 with said highway as a center line for a distance of 3 miles.

Edgecombe County. That portion of the city of Rocky Mount lying in Edgecombe County.

Harnett County. An area 4 miles wide bounded on the north by the Harnett-Wake County line and extending along U. S. Highway No. 15–A with said highway as a center line for a distance of 5 miles.

Jones County. An area 2 miles wide beginning at a line projected due east and due west at the Atlantic Coast Line siding at Ravenswood, approximately 1½ miles south of the Atlantic Coast Line Railroad depot in Pollicksville, and extending southerly with said railroad as a center line for a distance of 3 miles.

New Hanover County. That area included within the corporate limits of the city of Wilmington; all of Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all of the town of Winter Park; and

all that part of Masonboro Township lying north of the new Sunset Park-Winter Park Road.

Nash County. That portion of the city of Rocky Mount lying in Nash County.

Onslow County. That area included within a circle having a 4-mile radius and center at the Onslow County Courthouse in Jacksonville, including all of the city of Jacksonville; and an area 3½ miles wide beginning at a line projected at right angles to and for a distance of 1¾ miles on each side of U. S. Highway No. 17 from the point where said highway crosses Starky Creek and extending southwesterly along U. S. Highway No. 17 with said highway as a center line to the northeast boundary of the above-described circular area.

Pender County. All of that portion of Pender County lying west of a line parallel to and 8 miles west of the Pender-Onslow County line.

Union County. An area 2 miles wide beginning at a line projected due north and due south from a point where the west corporate limits of Marshville intersect the Seaboard Air Line Railroad and extending easterly with said railroad as a center line to the Union-Anson County line, including all of the town of Marshville.

Wake County. An area 4 miles wide bounded on the east by a line projected due north and due south for 2 miles on each side of the point of intersection of U. S. Highway No. 15-A and the Norfolk Southern Railway, approximately 1½ miles east of the Norfolk Southern Railway depot in Fuquay Springs, and extending westerly and southwesterly along U. S. Highway No. 15-A with said highway as a center line to the Wake-Harnett County line, including all of the town of Fuquay Springs.

Wayne County. All of Goldsboro Township, including all of the city of Goldsboro; an area 2 miles wide beginning at the west boundary of Goldsboro Township and extending northwesterly along U. S. Highway No. 70 with said highway as a center line to the Wayne-Johnston County line; an area 2 miles wide beginning at the north boundary of Goldsboro Township and extending northerly along the Atlantic Coast Line Railroad with said railroad as a center line to the Wayne-Wilson County line, including all of the towns of Pikeville and Fremont; and an area bounded on the north by the Atlantic and East Carolina Railway, on the west by Stony Creek, on the south by the Neuse River, and on the east by a line beginning at the junction of U. S. Highway No. 70 and North Carolina State Highway 111 and extended due north and due south to its intersections with the north and south boundaries, including all of Seymour Johnson Field.

SOUTH CAROLINA

Fairfield County. That area included within a circle having a 2-mile radius and center at the intersection of South Carolina State Highways 22 and 227, approximately 5½ miles northwest of the city of Winnsboro.

TENNESSEE

Hamilton County. That area included within a circle having a ½-mile radius and center at the office of the Shell Oil Corporation bulk plant located on Jersey Pike Road.

Shelby County. All that area included within a boundary beginning at the confluence of Wolf River with the Mississippi River, thence upstream along Wolf River to a point where it is crossed by the Nashville, Chattanooga and St. Louis Railway, thence west along said railway to its intersection with White Station Road, thence south along White Station Road to its intersection with U. S. Highway No. 72, thence west along U. S. Highway No. 72 to the point where it is intersected by Mount Moriah Road, thence south and east along Mount Moriah Road to the point where it intersects Nonconnah Creek, thence downstream along Nonconnah Creek to its confluence with the Tennessee Chute, and thence north along the Tennessee Chute and the Mississippi River to the point of beginning; that area included within a circle having a 1-mile radius and center at the intersection of the Memphis-Arlington and Pea Point Roads; and that area included within a circle having a 2-mile radius and center at the junction of the Macon Road with the Germantown Road, excluding that part of such area lying in the Shelby County Penal Farm.

Tipton County. That area within the corporate limits of the town of Mason.

This amendment makes additions to the regulated areas in Alabama, Florida, Louisiana, and Mississippi. It also combines into a single consolidated area seven small regulated areas in Louisiana, Mississippi, and Alabama. Similarly, eleven other regulated areas in Alabama and Florida have been consolidated. The areas consolidated are those known to have white-fringed beetle infestations in such close proximity to one another that the intervening land between has been exposed to infestation.

Prompt action is necessary with respect to the newly regulated areas in order to control the movement therefrom of articles which might spread the white-fringed beetle. Therefore, good cause is found, in accordance with section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) for making the foregoing amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

This amendment shall be effective September 29, 1953.

Done at Washington, D. C., this 24th day of September 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-8340; Filed, Sept. 29, 1953; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders) Department of Agriculture

[Docket No. AO-226-A3]

PART 925—MILK IN THE PUGET SOUND, WASHINGTON, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 925.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and of the previously issued amendments thereto and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Puget Sound, Washington, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this amendatory order effective October 1, 1953. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the orderly marketing of available milk supplies. Accordingly, any further delay in the effective date of this order amending the order, as amended, will seriously impair the orderly marketing of milk in the Puget Sound, Washington, marketing area. The provisions of the said amendatory order are well known to handlers and producers, the public hearing having been held on August 10-11, 1953 and a final decision on the amendment provisions having been issued September 10, 1953. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be contrary to the public interest to delay the effective date of this amendatory order for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk covered by this order amending the order, as amended, which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area, and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who during the determined representative period (July 1953) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Puget Sound, Washington, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Add the following as § 925.44 (a) (5)

(5) Notwithstanding the prior provisions of this paragraph, any such skim milk and butterfat caused to be moved in bulk by a handler from any fluid milk plant or country plant either by transfer or without being received therein to a fluid milk plant which maintains facilities used to receive milk or milk products required by applicable health authority regulations to be kept physically separate from milk qualified as described in § 925.12 shall be deemed for the period ending with December 31, 1953, to have been transferred by such handler to a country plant and shall be classified in accordance with the provisions of paragraph (b) of this section.

2. Add the following as § 925.44 (b) (5)

(5) Notwithstanding the prior provisions of this paragraph, any such skim milk and butterfat caused to be moved in bulk by a handler from any fluid milk plant or country plant without being received therein to a country plant which maintains facilities used to receive milk or milk products required by applicable health authority regulations to be kept physically separate from milk qualified as described in § 925.12 shall be deemed for the period ending with December 31, 1953, to have been transferred by such handler to a country plant and shall be classified in accordance with the provisions of this paragraph.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 24th day of September 1953, to be effective on and after the 1st day of October 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-8380; Filed, Sept. 29, 1953; 8:56 a. m.]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

DETERMINATION RELATIVE TO EXPENSES AND RATE OF ASSESSMENT FOR 1953-54 FISCAL PERIOD

On September 5, 1953, notice of proposed rule making was published in the FEDERAL REGISTER (18 F. R. 5392) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1953-54 fiscal period under Marketing Agreement No. 89, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order) it is hereby found and determined that:

§ 939.206 *Expenses and rate of assessment for the 1953-54 fiscal period*—(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Control Committee, established pursuant to the provisions of the amended marketing agreement and order (§§ 939.1 to 939.81), to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning July 1, 1953, will amount to $24,640.00.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles pears shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order, is hereby fixed at five mills ($0.005) per standard western pear box of pears, or its equivalent of pears in other containers or in bulk.

It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective time hereof until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that (1) in accordance with the provisions of said amended marketing agreement and order, the rate of assessment is applicable to all pears shipped during the 1953-54 fiscal period; (2) shipments of such pears are now being made and are subject to the regulatory provisions of Pear Order 6 (7 CFR 939.306; 18 F. R. 4849), (3) the provisions hereof do not impose any obligation on a handler until such handled ships pears; and (4) it is essential that the specification of the assessment rate be issued immediately so that the aforesaid assessments may be collected and thereby enable said Control Committee to perform its duties and functions in accordance with said amended marketing agreement and order.

As used herein, the terms "handler," "handles," "shipments," "shipped," "pears," "standard western pear box," and "fiscal period" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of September 1953.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-8381; Filed, Sept. 29, 1953; 8:56 a. m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

APPROVAL OF BUDGETS OF EXPENSES AND FIXING RATE OF ASSESSMENTS

Notice of proposed rule making regarding rules and regulations relative to proposed budgets of expenses and rate of assessments to be made effective under Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating the handling of Irish potatoes grown in the State of Colorado was published in the FEDERAL REGISTER (September 5, 1953, 18 F. R. 5393) This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.) After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the administrative committees for Areas No. 2 and 3, established pursuant to said marketing agreement and order, the following rules and regulations are hereby approved:

§ 958.214 *Budgets of expenses and rate of assessments.* (a) The expenses necessary to be incurred by the administrative committees for Areas No. 2 and 3, established pursuant to Marketing Agreement No. 97 and Order No. 58 (§§ 958.1 to 958.19) to enable such committees to carry out their functions pursuant to the provisions of the aforesaid marketing agreement and order during the fiscal year ending May 31, 1954 will amount to $3,024 for Area No. 2 and $2,380 for Area No. 3.

(b) The rate of assessments to be paid by each handler who first ships potatoes from Area No. 2 shall be $0.001 per hundredweight and from Area No. 3 shall be $0.0017 per hundredweight of potatoes handled by each handler as the first handler as the first handler thereof in the respective production areas during said fiscal year, and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (§§ 958.1 to 958.19).

(Sec. 5, 49 Stat. 753, as amended, 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of September 1953, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] JOHN H. DAVIS,
Assistant Secretary of Agriculture.

[F. R. Doc. 53-8382; Filed, Sept. 29, 1953; 8:57 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO THE IMMIGRATION AND NATIONALITY REGULATIONS

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 2—SERVICE RECORDS; FEES

Section 2.5 is amended to read as follows:

§ 2.5 *Fees for service, documents, papers, and records not specified in the Immigration and Nationality Act.* In addition to the fees enumerated in section 281 and 344 of the Immigration and Nationality Act, the following fees and charges are prescribed:

For filing application for United States citizen border crossing identification card	$5.00
For filing application for the benefits of section 316 (b) or 317 of the Immigration and Nationality Act	10.00
For filing an appeal from a decision in an exclusion or deportation proceeding. (The minimum fee of $25 shall be charged whenever an appeal is filed by or on behalf of two or more aliens and all of such aliens are covered by one decision.)	25.00
For filing an appeal from any decision under the Immigration and Nationality Act, except from a decision in an exclusion or deportation proceeding. (The minimum fee of $10 shall be charged whenever an appeal is filed by or on behalf of two or more aliens and all of such aliens are covered by one decision.)	10.00
For filing a motion to reopen or a motion to reconsider in any case arising under the Immigration and Nationality Act. (The minimum fee of $5 shall be charged whenever a motion to reopen or a motion to reconsider is filed by or on behalf of two or more aliens and all of such aliens are covered by one decision)	5.00
For filing application for Alien Registration Receipt Card in lieu of one lost, mutilated, or destroyed, or in changed name, or in lieu of Form AR-3	5.00
For filing application for approval of a school	25.00
For filing application for permission to reapply in the case of excluded or deported aliens, aliens who have fallen into distress and have been removed, aliens who have been removed as alien enemies, or aliens who have been removed at Government expense in lieu of deportation	5.00
For filing application for discretionary relief under section 212 (c) of the Immigration and Nationality Act	25.00
For filing application for discretionary relief under section 212 (d) (3) of the Immigration and Nationality Act, except in emergency cases	$25.00
For filing application for Alien Laborer's Identification Card in lieu of one lost, mutilated, or destroyed	1.00
For filing application for waiver of passport or visa of an individual alien at time he applies for temporary admission to the United States. (This fee shall not be applicable to an admissible alien who is officially engaged in activities in connection with any multipartite treaty organization of which the United States is signatory or who is a member of the armed forces of any foreign government.)	[1]10.00
For filing application for waiver of passport or visa of an individual alien at the time he applies for admission to the United States as a returning resident	[1]10.00
For a search of an arrival record in case information is for personal benefit	3.00
For filing application for Certificate of Citizenship—Hawaiian Islands	5.00
For annual subscription for "Passenger Travel Reports via Sea and Air"	10.00
For an annual table on "Passenger Travel Reports via Sea and Air"	.20
For set of six annual tables on "Passenger Travel Reports via Sea and Air"	1.00
Annual reports—Immigration and Naturalization Service	3.00
For filing application for waiver of grounds for exclusion contained in section 212 (a) (14) of the Immigration and Nationality Act	10.00

For special statistical tabulations a charge will be made to cover the cost of the work involved.

[1] Plus communication costs.

PART 4—LAWFUL ADMISSION FOR PERMANENT RESIDENCE: SPECIAL CLASSES: WHEN PRESUMED

Section 4.2 is amended by adding a new paragraph (b–1) which, when taken with the introductory material, will read as follows:

§ 4.2 *Presumption of lawful admission.* An alien of any of the following-described classes shall be presumed to have been lawfully admitted for permanent residence within the meaning of the Immigration and Nationality Act (even though no record of his admission can be found, except as otherwise provided in this part) unless the alien abandoned his status as a lawful permanent resident, or lost such status by operation of law, at some time subsequent to such admission:

* * * * *

(b–1) *Aliens who entered at the port of Presidio, Texas, prior to October 21, 1918.* An alien who establishes that, while a citizen of Mexico, he entered the United States at the port of Presidio, Texas, prior to October 21, 1918.

PART 8—REOPENING AND RECONSIDERATION

Paragraph (e) of § 8.11, *Motion to reopen or reconsider* is amended to read as follows:

(e) *Appeal.* The decision upon a motion to reopen or a motion to reconsider shall be final subject to the limitations imposed by paragraph (f) of § 242.61 of this chapter.

PART 9—AUTHORITY OF COMMISSIONER AND ASSISTANT COMMISSIONERS

1. Section 9.2 is amended by adding a new paragraph (l–1) which, when taken with the introductory material, will read as follows:

§ 9.2 *Authority of Assistant Commissioner Inspections and Examinations Division.* The powers, privileges, and duties conferred or imposed upon officers or employees of the Service under this chapter with respect to the following-described matters are hereby conferred or imposed upon the Assistant Commissioner, Inspections and Examinations Division:

* * * * *

(l–1) Designation, and withdrawal of designation, of ports of entry for aliens arriving by vessel or by land transportation as provided in Part 231 of this chapter, and designation, and withdrawal of designation, of airports as international airports for entry of aliens as provided in Part 239 of this chapter.

2. Section 9.3 is amended by adding paragraph (c) which, when taken with the introductory material, will read as follows:

§ 9.3 *Authority of Assistant Commissioner, Investigations Division.* The powers, privileges, and duties conferred or imposed upon officers or employees of the Service under this chapter with respect to the following-described matters are hereby conferred or imposed upon the Assistant Commissioner, Investigations Division:

* * * * *

(c) Issuance of subpenas as provided in section 235 (a) of the Immigration and Nationality Act and Part 287 of this chapter.

PART 204—PETITION FOR IMMIGRANT STATUS AS A MINISTER OR AS A PERSON WHOSE SERVICES ARE NEEDED URGENTLY

Subparagraph (1) of paragraph (a) of § 204.4 is amended so that, when taken with the introductory material, it will read as follows:

§ 204.4 *Petitions; additional requirements*—(a) *For petitioners filing Form I–129.* A petitioner filing a petition on Form I–129 shall comply with the following additional requirements:

(1) The petitioner shall, if requested by the Service, attach to the petition a clearance order bearing a statement from the United States Employment Service that qualified persons are not available within the United States to perform the work, labor, or services which are to be performed by the beneficiary. In connection with a petition for a beneficiary who is to perform work, labor, or services in Guam, a clearance order issued by the Employment Service of the Territory of Guam shall be accepted in lieu of that issued by the United States Employment Service.

* * * * *

PART 205—PETITION FOR IMMIGRANT STATUS AS RELATIVE OF UNITED STATES CITIZEN OR LAWFUL RESIDENT ALIEN

1. Section 205.1 is amended to read as follows:

§ 205.1 *Petition; form.* A petition by a United States citizen under section 205 (b) of the Immigration and Nationality Act shall be filed in duplicate on Form I–133. A petition by an alien under section 205 (b) of the Immigration and Nationality Act shall be filed in duplicate on Form I–133A. Except as otherwise provided in this section, a petition on Form I–133 or on Form I–133A may include therein more than one beneficiary. If the petition is for more than one beneficiary and applications for visas will be made to more than one American consular office, a copy of the petition shall be submitted for each such consular office. A separate petition shall be filed for each beneficiary who is the brother, sister, son, or daughter of a United States citizen entitled to a preference under section 203 (a) (4) of the Immigration and Nationality Act.

2. Paragraph (b) of § 205.11, *Petition,* is amended to read as follows:

(b) *Documents in support of petition.* The petition shall be supported by documentary evidence establishing the qualifications and eligibility of the beneficiary or beneficiaries for the classification requested and shall include the information required by the Form I–133, if the petitioner is a citizen of the United States, or the information required by the Form I–133A, if the petitioner is a lawful resident alien.

PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

1. Paragraph (c) of § 211.2 is amended by redesignating subparagraph (12) as subparagraph (16) and by adding new subparagraphs (12) (13) (14) and (15) which, when taken with the introductory material, will read as follows:

§ 211.2 *Immigrants not required to present visas or passports.* Immigrants of the following-described classes applying for admission to the United States need not present visas or passports:

* * * * *

(c) Aliens (including alien crewmen) of the following-described classes who have been lawfully admitted for permanent residence, who are otherwise admissible, and who are returning after a temporary absence:

* * * * *

(12) An alien crewman whose name appears on the visaed crew list of the vessel or aircraft on which he arrived in the United States or who presents an Alien Registration Receipt and Border Crossing Card (Form I–151) duly issued to him, if the alien is returning on the same vessel or aircraft on which he departed and without transshipment, or, if the alien is returning on an aircraft of the same transportation line within 30 days of his discharge in a foreign port.

(13) An alien who departed from the United States as a member of the crew of a vessel or aircraft which has been sold and delivered abroad, if the laws of the United States or the contract of employment provide for the return of the crew to the United States, whether returning as a passenger or as a crewman.

(14) An alien who departed from the United States as a member of the crew of a vessel or aircraft and who is returning to the United States as a passenger in accordance with the terms of the articles of the vessel or the aircraft on which he formerly served and who presents a Form I–151 duly issued to him.

(15) An alien crewman who departed from the United States as a member of the crew of a vessel or aircraft and who is a consular passenger, or is repatriated after, and in accordance with the terms of, his discharge in a foreign port before a consular officer, but who, for any reason, cannot be considered as serving as a crewman on the vessel or aircraft on which he arrives at a port in the United States.

2. Section 211.3 is amended to read as follows:

§ 211.3 *Immigrants not required to present visas.* Any alien (including an alien crewman) who is otherwise admissible, who has been lawfully admitted to the United States for permanent residence, and who is applying for admission to the United States after a temporary absence, is not required to present a visa if in his particular case a waiver of the visa requirement is granted by (a) the Assistant Commissioner, Inspections and Examinations Division, either at the time of or after the alien's application for admission to the United States, or (b) the district director or the officer in charge having administrative jurisdiction over the port at which the alien applied for admission, at the time of the alien's application for admission and prior to the submission of the case to a special inquiry officer, or (c) the special inquiry officer in determining the case referred to him for further inquiry as provided in section 235 of the Immigration and Nationality Act, upon a determination by the respective officers, enumerated above that presentation of a visa is impracticable because of emergent circumstances over which the alien has no control and that undue hardship would result to such alien if such presentation is required: *Provided,* That during the time any case is pending before the Board a waiver under this section may be granted only by the Board.

PART 223—REENTRY PERMITS

1. Paragraph (c) of § 223.11, *Application,* is amended to read as follows:

(c) *Action on application.* If the district director is satisfied (1) that the applicant meets the eligibility requirements contained in section 223 of the Immigration and Nationality Act, (2) that the application is made in good faith, and (3) that the alien's proposed departure from the United States would not be contrary to the interests of the United States, he shall grant the application and issue the permit, which shall be valid for the time thereon specified, not to exceed one year. If deemed necessary, investigations may be conducted by interview or by correspondence. If the district director is not satisfied that the application should be granted he shall deny it. The applicant shall be notified in writing of the decision with the reasons therefor, unless the disclosure of the reasons would, in the opinion of the district director, be prejudicial to the public interest, safety or security, in which event the reasons shall not be stated. At that time, the applicant shall be advised that he has 10 days from the date of receipt of notification of the decision in which he may appeal to the Assistant Commissioner, Inspections and Examinations Division. If on such appeal the application is granted, the Assistant Commissioner shall notify the district director and the permit shall be issued by that officer. The mailing of the permit to the applicant shall constitute notice to him of the favorable decision made in the case either initially or on appeal. If the application is denied and no appeal is taken, or is denied on appeal, the fee shall be returned to the applicant.

2. Paragraphs (d) and (e) of § 223.12, *Reentry permit,* are amended to read as follows:

(d) *Delivery.* The reentry permit shall be mailed to the applicant at the address shown on application Form I–131 unless the applicant requests that it be mailed to another address in the United States.

(e) *Emergent cases.* If the applicant satisfactorily establishes that a bona-fide emergency exists requiring his departure from the United States before a permit can be issued and delivered, the permit, if issued, may be forwarded to a consular officer abroad for delivery to the applicant. The applicant shall be informed that the acceptance of his application does not assure the issuance of the permit.

PART 231—LISTS OF ALIENS AND CITIZEN PASSENGERS ARRIVING OR DEPARTING

1. Section 231.6 is amended by designating the present material as paragraph (b) and by adding a paragraph (a) reading as follows:

§ 231.6 *Ports of entry for aliens arriving by vessel or by land transportation.* (a) Ports of entry for aliens arriving by vessel or by land transportation shall be those ports designated as such by the Commissioner. The designation of such a port of entry may be withdrawn whenever, in the judgment of the Commissioner, such action is warranted.

* * * * *

2. Paragraph (b) of § 231.6 is amended by deleting from the list of Class A of District No. 12—Seattle, Wash., the words "Loring, Mont.", and inserting in lieu thereof the words "Morgan, Mont."

PART 233—TEMPORARY REMOVAL FOR EXAMINATION UPON ARRIVAL

Section 233.2, *Assumption of responsibility,* is amended by designating the present material as paragraph (a) and

by adding paragraph (b) reading as follows:

(b) A transportation line may enter into a blanket agreement assuming the responsibility for the safekeeping of all aliens brought to a port of the United States by such line who are required to be removed for examination and inspection. In the absence of a written notice to the contrary, the acceptance of service of Form I–259 naming the specific alien or aliens to be removed and the reasons therefor shall be good and sufficient evidence of the assumption by the said transportation line of its responsibility in accordance with the provisions of section 233 (a) of the Immigration and Nationality Act and this part.

PART 236—EXCLUSION OF ALIENS

1. Section 236.12 is amended to read as follows:

§ 236.12 *Decision of special inquiry officer*—(a) *Oral decision.* Except as provided in paragraph (b) of this section, the special inquiry officer shall, immediately following the conclusion of the hearing, state for the record in the presence of the alien or his attorney or representative, his decision in the case, which shall include a summary of the evidence adduced, findings of fact, conclusions of law, and order. If the alien is entitled to appeal to the Board from an adverse decision of the special inquiry officer, he shall be so advised, and the exact language employed in conveying this advice to the alien, and the alien's representations or acknowledging statements, shall be made a part of the record in the case.

(b) *Written decision.* In any case in which he deems such action appropriate, the special inquiry officer may, as soon as practicable after the conclusion of the hearing, prepare a written decision signed by him which shall include a summary of the evidence adduced, findings of fact, conclusions of law, and order. The district director or officer in charge having administrative jurisdiction over the office in which the proceeding is pending shall cause a signed copy of such decision to be served on the alien with the notice referred to in § 6.11 of this chapter.

2. Section 236.15 is amended to read as follows:

§ 236.15 *Appeal by alien*—(a) *Form oral decision.* Immediately following an oral decision of the special inquiry officer, the alien, if entitled to appeal to the Board, shall be required to state for the record whether or not he desires to appeal and, if he does, whether or not he desires to file a brief in support of such appeal. If the alien desires to appeal, he shall then and there be required to submit a completed Form I–290A. If the alien desires to file a brief, he shall be allowed 5 days from the date of the oral decision within which to submit his brief to the district director or officer in charge having administrative jurisdiction over the office in which the proceeding is pending. Upon good cause shown, such district director or officer in charge or the special inquiry officer who presided at the hearing, or the Board may, in their discretion, extend the time within which the brief may be submitted. In any case in which the alien has stated that he desires to submit a brief, he may, within the period allowed for the submission of such brief file with the district director or officer in charge a written waiver thereof. An alien appealing from an oral decision of a special inquiry officer shall be furnished with a transcript of the oral decision.

(b) *From written decision.* In any case in which an alien is entitled to appeal from a written decision of a special inquiry officer, such appeal shall be taken on Form I–290A in accordance with the provisions of § 6.11 of this chapter within 5 days after receipt of the written decision.

PART 245—ADJUSTMENT OF STATUS OF NONIMMIGRANT TO THAT OF A PERSON ADMITTED FOR PERMANENT RESIDENCE

The third sentence of § 245.12 is amended to read as follows:

§ 245.12 *Application.* * * * Such documents shall include but shall not be limited to (1) any available official document showing the alien's police record, (2) any available official document showing the alien's prison record and military record in the United States or abroad, (3) record of the alien's birth, (4) if the alien is claiming nonquota status or preference quota status by reason of relationship to a United States citizen or alien lawfully admitted for permanent residence, official certifications establishing such relationship, including records of marriage, birth, and citizenship of the person with whom such relationship is claimed, (5) if claiming preference quota status under section 203 (a) (1) (A) of the Immigration and Nationality Act, a signed statement from the person, institution, firm, organization, or governmental agency for whom the alien is to perform the work, labor, or services, containing the information and accompanied by the documents required by Form I–129 and paragraph (a) of § 204.4 of this chapter, (6) a statement of the alien's net worth together with any employment records, bank records, copies of income tax returns or other evidence satisfactorily establishing that the alien is not likely to become a public charge, (7) statements from any institutions in which the alien may have been treated for a mental disease or disorder at any time, showing the nature and duration of such disorder and the result of the treatment, (8) documentary evidence, such as school records, employment records, business records, and the like, showing that the alien has continued to maintain his nonimmigrant status. * * *

PART 249—CREATION OF RECORD OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE

Paragraph (a) of § 249.16 is amended to read as follows:

§ 249.16 *Disposition of case*—(a) *Record, recommendation and review.* Upon completion of the examination, the immigration officer shall prepare a report of his findings on Form N–125 as to each of the essential facts prescribed by section 249 of the Immigration and Nationality Act and § 249.11, together with his recommendation. Upon completion of Form N–125 by the immigration officer, the entire record shall be transmitted to the district director having administrative jurisdiction over the office in which the examination was conducted. The district director shall approve or disapprove the recommendation of the immigration officer and shall note and sign Form N–125 in acordance with his decision.

* * * * *

PART 251—CREWMEN: LISTS OF; REPORTS OF ILLEGAL LANDINGS

1. Paragraph (c) of § 251.32, *Arrival crew lists for Great Lakes vessels,* is amended to read as follows:

(c) *Preparation of Forms I–95.* Except as otherwise provided in this paragraph, the persons responsible for the delivery of the alien crew list and as a part thereof shall prepare a set of Forms I–95 for each arrival in the United States of an alien crewman on board a Great Lakes vessel and shall deliver them to such crewman for presentation by him, with any Foreign Service Forms 256 or 257 or immigration Forms I–132 or I–151 in his possession, to the United States immigration officer at the first port of arrival in the United States. If the crewman for whom a set of Forms I–95 is prepared has an immigrant or nonimmigrant visa, the visa number shall be noted on all copies of the Forms I–95 in the box entitled "Visa or Alien Registration number" If he is a returning resident alien crewman, his alien registration receipt number shall be noted on all copies of the Forms I–95 in the box entitled "Visa or Alien Registration number" A set of Forms I–95 need not be prepared for an alien crewman of a Great Lakes vessel seeking the landing privilege under section 252 (a) (1) of the Immigration and Nationality Act if he is in possession of a Form I–95A, less than one year old, previously issued to him for landing under that section of the act as a crewman of a Great Lakes vessel.

2. Sections 251.33 and 251.34 are amended to read as follows:

§ 251.33 *Arrival crew lists for aircraft.* The lists required by section 251 (a) of the Immigration and Nationality Act and § 251.3 shall be submitted on Customs Form 7507 in the space provided for the listing of the crew, shall contain the information indicated on the form, and shall be delivered to the immigration officer inspecting the aircraft at the international airport or other place of first landing in the United States. Except as otherwise provided in this section for aircraft making voyages to and from the United States at regular or periodic intervals and returning resident alien crewman, the persons responsible for the delivery of the alien crew list and as a part thereof shall prepare a set of Forms I–95 for each arrival in the United States of an alien crewman on board the air-

craft and shall deliver them to such crewman for presentation by him, with any Foreign Service Forms 256, 257 or immigration Forms I–132 or I–151 in his possession, to the United States immigration officer at the first airport of arrival in the United States. If the crewman for whom a set of Forms I–95 is prepared has an immigrant or nonimmigrant visa, the visa number shall be noted on all copies of the Form I–95 in the box entitled "Visa or Alien Registration number" If he is a returning resident alien crewman, his alien registration receipt number shall be noted on all copies of Form I–95 in the box entitled "Visa or Alien Registration number" In the case of an aircraft making flights to the United States at regular or periodic intervals, a set of Forms I–95 need not be prepared for an alien crewman if he is in possession of a Form I–95A, less than one year old, previously issued to him, and, if other than a returning resident alien, he is arriving on an aircraft of the same transportation line shown on such form and has not arrived in the United States as a crewman on an aircraft of any other transportation line since such form was issued to him.

§ 251.34 *Arrival crew list for certain aircraft not required.* Aircraft coming directly to the continental United States or Alaska on a trip which originated in Canada or the French islands of St. Pierre or Miquelon shall not be regarded as arriving in the United States from any place outside the United States for the purposes of section 251 (a) of the Immigration and Nationality Act and § 251.3, and the provisions of those sections and of § 251.33 shall not apply to such aircraft. Nothing in this section shall be regarded as exempting any crewman from any of the applicable documentary requirements of the Immigration and Nationality Act or of this chapter. Except as otherwise provided in this section, a set of Forms I–95 shall be prepared for each arrival in the United States of an alien crewman aboard an aircraft within the scope of this section. A set of Forms I–95 need not be prepared for such alien crewman if he is in possession of a Form I–95A, less than one year old, previously issued to him, and, if other than a returning resident alien, he is arriving on an aircraft of the same transportation line shown on such form and has not arrived in the United States as a crewman on an aircraft of any other transportation line since such form was issued to him.

PART 252—LANDING OF ALIEN CREWMEN

1. Subparagraph (1) of paragraph (b) of § 252.6, *Special provisions applicable to crewman of Great Lakes vessels,* is amended to read as follows:

(b) *Crew inspection: First trip of vessel of year or season—(1) By whom conducted.* A full time immigration officer, if practicable, shall conduct the immigration examination of the crew of every Great Lakes vessel on the occasion of its first arrival each year or season in the United States. In addition to the notation required by § 252.1 (c), the immigration officer authorizing the landing of a crewman of a Great Lakes vessel shall note the words "Great Lakes" on all copies of the Form I–95.

* * * * *

2. Subparagraph (1) of paragraph (c) of § 252.6, *Special provisions applicable to crewman of Great Lakes vessels,* is amended to read as follows:

(c) *Crew inspection. subsequent arrival of vessel during year or season—(1) By whom conducted.* Whenever an international ferry operating year-round makes its second or later arrival after January 1 each year, or whenever any other Great Lakes vessel operating seasonally makes its second or later arrival after the season's opening, the examination of the crew shall be conducted by a full-time immigration officer if one can conveniently be assigned; otherwise the examination of the crew shall be conducted by an immigration officer (excepted). An immigration officer (excepted) shall have authority to permit a crewman of a Great Lakes vessel to land for the period set forth in section 252 of the Immigration and Nationality Act only if such crewman presents the Form I–95A previously issued to him at the time of his first arrival during the year or season provided he has no reason to believe that such crewman is inadmissible to the United States. A crewman making his first arrival of the year or season in the United States aboard a Great Lakes vessel which is making its second or later arrival shall not be permitted to land until he is examined in accordance with paragraph (b) of this section.

3. Section 252.41 is amended to read as follows:

§ 252.41 *Change in period of landing; procedure by immigration officer.* If the immigration officer to whom an alien crewman applies for change of his landing is satisfied that the alien will depart as a member of the crew of a vessel or aircraft other than the one on which he arrived, he may, in his discretion, grant the alien crewman's request and permit him to remain in the United States for such period as the immigration officer shall determine, not to exceed twenty-nine days from the date of the crewman's arrival in the United States. In such case the immigration officer shall prepare a new set of Forms I–95 and shall note thereon landing under clause (a) (2) of section 252 of the Immigration and Nationality Act and the date to which the crewman has been granted permission to land. The new Form I–95A shall be given to the crewman and the Form I–95A previously issued to him shall be surrendered.

PART 254—CONTROL OF ALIEN CREWMEN

Section 254.1 is amended to read as follows:

§ 254.1 *Deportation of alien crewman.* Subject to the limitations hereinafter provided in this part, the district director having administrative jurisdiction over the place where the case is pending shall exercise the authority contained in section 254 (c) of the Immigration and Nationality Act to select the port from which and the vessel or aircraft on which an alien crewman's deportation is to be effected.

PART 232—PRINTING OF REENTRY PERMITS: FORMS FOR SALE TO PUBLIC

Section 232.2 is amended to read as follows:

§ 232.2 *Forms printed by the Public Printer.* The Public Printer is authorized to print for sale to the public by the Superintendent of Documents the following forms prescribed by Subchapter D of this chapter: I–94, I–95, I–129, I–129A, I–129B, I–131, I–131A, I–132C, I–133, I–133A, I–415, I–416, I–419, I–424, I–434, I–435, I–466, I–480, I–489, and I–539.

PART 292—ENROLLMENT AND DISBARMENT OF ATTORNEYS AND REPRESENTATIVES

Section 292.11 is amended to read as follows:

§ 292.11 *Service upon and action by attorney, representative, or other person.* Whenever a person is required by any of the provisions of this chapter (a) to give or be given notice; (b) to serve or be served with any paper other than a warrant of arrest or a subpena; (c) to make a motion; (d) to file or submit an application or other document; or (e) to perform or waive the performance of any act, such notice, service, motion, filing, submission, performance, or waiver shall be given by or to, served by or upon, made by, or requested of, (1) the attorney or representative who has filed an appearance in the case as provided in § 292.5, or (2) the person himself if there is no attorney or representative in the case.

PART 341—CERTIFICATE OF CITIZENSHIP UNDER SECTION 341 OF THE IMMIGRATION AND NATIONALITY ACT

Section 341.17 is amended to read as follows:

§ 341.17 *Attorneys.* Attorneys or other persons authorized to practice before the Service who represent applicants shall be permitted to be present during the examination of the applicant and the witnesses, to submit briefs, and to review the record either before it is forwarded to the district director or thereafter, and prior to final decision.

PART 450—FORMS

1. The list of forms in § 450.1, *Prescribed forms,* is amended in the following respects:

a. "FS 256a Immigration Visa and Alien Registration" is amended to read "FS 256a Immigrant Visa and Alien Registration"

b. "I–100 Alien Laborer's Permit and Identification Card" is deleted and in lieu thereof the following two forms are inserted:

I–100a Alien Laborer's Permit and Identification Card

I–100b Record of Admission and Registration of Alien Laborer.

c. "I–134 Affidavit of Support (for use in connection with immigration visa)" is deleted.

d. The following items are added:

I–550 Application for Verification of Last Entry of an Alien
N–125 Findings in Application for Creation of Record of Admission for Permanent Residence.

2. Paragraph (a) of § 450.2, *Forms available from the Superintendent of Documents,* is amended by deleting "I–134" from the forms mentioned therein.

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

NOTE: The record-keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order, insofar as they do not relate to interpretative rules or to matters of agency management or procedure, relieve restrictions and are clearly advantageous to persons affected thereby.

Dated: September 22, 1953.

HERBERT BROWNELL, JR.,
Attorney General.

Recommended: July 9, 1953.

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 53–8347; Filed, Sept. 29, 1953: 8:50 a. m.]

PART 3—IMMIGRATION BONDS

PART 7—ASSISTANT COMMISSIONER: INSPECTIONS AND EXAMINATIONS DIVISION

ELIMINATION OF CERTAIN APPEALS IN BOND CASES

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of July 23, 1953 (18 F R. 4292) and in which there was stated in full the details of a proposed revision of §§ 3.1 and 7.1 (a) of Chapter I of Title 8 of the Code of Federal Regulations relating to the elimination of appeals to the Assistant Commissioner, Inspections and Examinations Division, from adverse decisions of field officers in bond cases. Representations which were received concerning the proposed amendment have been considered. The rules, as stated below, are hereby adopted. The provisions of the adopted rules are the same as those stated in the notice of proposed rule making.

Section 3.1 is amended to read as follows:

§ 3.1 *Immigration bonds*—(a) *Acceptable sureties.* In cases other than those in which cash is deposited pursuant to Part 213 of this chapter, the following shall be the only acceptable sureties on a bond furnished in connection with the administration of the Immigration and Nationality Act:

(1) A company holding a certificate from the Secretary of the Treasury under sections 6 to 13 of title 6 of the United States Code as an acceptable surety on Federal bonds;

(2) A surety who deposits United States bonds or notes which are of the class described in section 15 of title 6 of the United States Code and Treasury Department regulations issued pursuant thereto and which are not redeemable within one year from the date on which they are offered for deposit; or

(3) Sureties, who shall be two in number, each of whom shall justify separately in real property which is not exempted from levy and sale upon execution and which is actually valued, over and above all encumbrances, at double the amount of the bond, and each of whom shall, in addition to making such justification, satisfactorily establish to the immigration officer authorized to approve the bond that his net worth, over and above all obligations and liabilities of any kind, secured or unsecured, is equal to double the amount of the bond.

(b) *Approval; extension agreements; consent of surety; collateral security.* Regardless of the section of law or regulations under which a bond is required, district directors and officers in charge are authorized, either directly or through officers or employees designated by them, to approve bonds which are prepared on a form approved by the Commissioner. Such officers are also authorized to approve formal agreements by which a surety consents to an extension of his liability on any such bond and to approve any power of attorney executed on Form I–312 or Form I–313 which purports to authorize the delivery after its release of collateral deposited to secure the performance of any such bond to some person or concern other than the depositor thereof. Unless otherwise specifically provided in this chapter or by the Commissioner in any case or class of cases, bonds prepared on forms approved by the Commissioner, all agreements of extension of liability relating thereto, and all powers of attorney for delivery of collateral security deposited in connection therewith shall be retained at the office of the Service where approved. Bonds prepared on any form other than one approved by the Commissioner, agreements of extension of liability relating thereto, and any powers of attorney to receive back collateral deposited in connection therewith, shall be submitted to the Commissioner for approval. Regardless of the form on which the bond is prepared, any power of attorney not executed on Form I–312 or Form I–313, purporting to authorize the delivery after its release of any deposit of collateral security to some person or concern other than the depositor thereof, shall be forwarded, together with the bond and all appurtenant documents, to the Commissioner for approval. In the same manner, all requests for delivery of collateral security to a person other than the depositor or his approved attorney in fact shall be forwarded to the Commissioner for approval. Instruments and other papers forwarded to the Commissioner under the provisions of this paragraph shall be handled by the General Counsel.

(c) *Violation of conditions; cancellation.* (1) Whenever it shall appear that a condition of a bond executed in connection with the administration of the immigration laws may have been violated, or when a request for release from liability is received from an obligor, the bond, all appurtenant documents, and a full report of the circumstances shall be forwarded to the district director or officer in charge having administrative jurisdiction over the office where the bond is retained for decision as to whether the conditions of the bond have been met so that it may be cancelled, or whether any condition of the bond has been violated so that liability thereunder should be enforced, or whether the circumstances are such that the bond should be continued in effect. If the obligors are adversely affected by the decision of the district director or officer in charge, they shall be notified by the district director or officer in charge in writing on Form I–323 of his decision. No appeal shall lie from the decision of the district director or officer in charge.

(2) If all the conditions of a bond executed in connection with the administration of the immigration laws have been complied with and the obligation has thereby been discharged by its own terms, the district director or officer in charge shall so notify the obligors on Form I–391. Similar notice may be given if all the conditions of the bond have been complied with and (i) the alien has departed from the United States or, being the sole obligor on the bond or holding an approved power of attorney from the obligor, is about to depart from the United States, (ii) the alien has died, (iii) the alien has been naturalized as a citizen of the United States, (iv) a new bond has been furnished to replace the existing bond, or (v) in the case of a delivery bond, the warrant of arrest or deportation has been cancelled, or the alien's application for suspension of deportation has been approved, or the alien has been imprisoned, or inducted into the armed forces of the United States.

2. Paragraph (a) *Appellate jurisdiction,* of § 7.1, *Assistant Commissioner, Inspections and Examinations Division,* is amended by deleting subparagraph (1).

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

NOTE: The record-keeping and reporting requirements of these regulations have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

The rules stated above shall become effective on the thirty-first day following the date of publication in the FEDERAL REGISTER.

The general basis and purpose of the rules prescribed above is to permit district directors and officers in charge to receive requests by obligors for release from liability on bonds and to eliminate appeals to the Assistant Commissioner, Inspections and Examinations

Division, from adverse decisions of field officers in bond cases.

Dated: September 16, 1953.

WILLIAM P. ROGERS,
Acting Attorney General.

Recommended: September 3, 1953.

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 53-8349; Filed, Sept. 29, 1953; 8:51 a.m.]

Chapter II—Office of Alien Property, Department of Justice

PART 502—RULES OF PROCEDURE FOR CLAIMS

MOTION TO DISMISS

Paragraph (i) of § 502.25 *Motion to dismiss* is hereby amended to read as follows:

(i) Notwithstanding the provisions of this section, the Chief of the Claims Branch may serve a notice upon the claimant that, after the expiration of a time fixed in the notice, which time shall not be less than thirty (30) days, he intends to apply to the Director for an order dismissing the claim. The notice shall state the grounds for dismissal and the claimant may, within the time indicated in the notice, file a statement specifying his objections to dismissal, together with his reasons in support thereof; any evidence or other material in support of the claim which has not previously been filed with this Office shall be filed by the claimant with the statement of objections. Upon application by the Chief of the Claims Branch for an order dismissing the claim, the Director will consider the objections, if any, and may enter an order either dismissing the claim if it appears there is no genuine issue, or remanding it to the Chief of the Claims Branch for further proceedings under the rules in this part.

(40 Stat. 411, as amended, 50 U. S. C. App. 1-40; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp., E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp.)

Executed at Washington, D. C., on September 25, 1953.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director Office of Alien Property.

[F. R. Doc. 53-8372; Filed, Sept. 29, 1953; 8:54 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6098]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FRANK M. BUCKLEY CO. AND T. M. BUCKLEY CO.

Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition; Wool Products Labeling Act;* § 3.1325 *Source or origin*—maker or seller—Wool Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition*—Wool Products Labeling Act; § 3.1900 *Source or origin*—Wool Products Labeling Act. In connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, of wool batts or battings or other "wool products", as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool" "reprocessed wool", or "reused wool", as those terms are defined in said act, misbranding such products by: (1) Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein; and (2) failing to securely affix to or place on each such product, a stamp, tag, label or other means of identification showing in a clear and conspicuous manner: (a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any nonfibrous loading, filling or adulterating matter; (c) the name or the registered identification number of the manufacturer of such wool products or of one or more persons engaged in introducing such wool products into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939; prohibited, subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

(Sec. 6, 38 Stat. 722, sec 6, 54 Stat. 1131; 15 U. S. C. 46, 68d. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68, 68c) [Cease and desist order, Frank M. Buckley t. a. Frank M. Buckley Company, etc., Hyde Park, Mass., Docket 6098, September 8, 1953.]

In the Matter of Frank M. Buckley, Trading and Doing Business as Frank M. Buckley Company and as T. M. Buckley Company

This proceeding was instituted by complaint which charged respondent with the use of unfair and deceptive acts and practices in violation of the provisions of the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

It was disposed of, as announced by the Commission's "Notice" dated September 14, 1953, through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on September 8, 1953, and ordered entered of record as the Commission's findings as to the facts, conclusion, and order in disposition of this proceeding.

The time for filing report of compliance pursuant to the aforesaid order runs from the date of service hereof.

Said order to cease and desist, thus entered of record, following the findings as to the facts[1] and conclusions,[1] reads as follows:

It is ordered, That the respondent, Frank M. Buckley, trading under the names of Frank M. Buckley Company and T. M. Buckley Company, or trading under any other name, and said respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939, of wool batts or battings or other "wool products," as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool" or "reused wool," as those terms are defined in said Act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix to or place on each such product, a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool products or of one or more persons engaged in introducing such wool products into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be

[1] Filed as part of the original document.

construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939, and provided further that nothing contained in this order shall be construed as limiting any applicable provisions of said Act or the Rules and Regulations promulgated thereunder.

3. *It is further ordered,* That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: September 14, 1953.

By direction of the Commission.

[SEAL] ALEX. AKERMAN, Jr., *Secretary.*

[F. R. Doc. 53-8376; Filed, Sept. 29, 1953; 8:55 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Reg. No. SR-386A]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

SPECIAL CIVIL AIR REGULATION; FLIGHT TIME LIMITATIONS FOR PILOTS NOT REGULARLY ASSIGNED TO ONE TYPE OF CREW

Correction

In Federal Register Document 53-8174, appearing at page 5661 of the issue for Wednesday, September 23, 1953, the following changes should be made:

1. The fifth line of paragraph 3 should read: "flight crew member crews in a given month"

2. The fourth line of paragraph 4 should read: "hours or less within a given month in."

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS UNDER THE SECURITIES AND EXCHANGE ACT OF 1934

AMERICAN STOCK EXCHANGE DISTRIBUTION PLAN

The Securities and Exchange Commission has announced that it has declared effective, for an experimental period, the Exchange Distribution Plan of the American Stock Exchange filed by such Exchange pursuant to the provisions of § 240.10b-2 (d) (Rule X-10B-2 (d)) under the Securities Exchange Act of 1934. This Plan contains substantially the same provisions as the Exchange Distribution Plan of the New York Stock Exchange which Plan was published for comment by the Commission on July 20, 1953, declared effective on August 21, 1953, and published in the FEDERAL REGISTER on August 26, 1953 (18 F R. 5087)

The Plan of the American Stock Exchange permits members, member firms and member corporations to make a distribution of a block of securities at the market on the Exchange when the regular market on the Exchange cannot otherwise absorb the block of securities within a reasonable time and at a reasonable price or prices. The Plan contains certain anti-manipulative controls and requires members, member firms and member corporations to disclose certain material facts, concerning the distribution and the nature of their participation therein, to persons whose orders are solicited.

Action declaring American Stock Exchange Plan effective. The text of the Commission's action declaring effective the Exchange Distribution Plan of the American Stock Exchange is as follows:

The Securities and Exchange Commission acting pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and § 240.10b-2 (d) thereunder, deeming it necessary for the exercise of the functions vested in it and having due regard for the public interest and for the protection of investors, hereby declares effective until the close of business on February 26, 1954, the Exchange Distribution Plan of the American Stock Exchange filed on September 14, 1953, on the condition that if at any time it appears to the Commission to be necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said Plan by sending at least ten days' written notice to the American Stock Exchange. The Commission finds that notice and public procedure pursuant to sections 4 (a) and (b) of the Administrative Procedure Act are unnecessary since the Plan of the American Stock Exchange is the same as the Plan of the New York Stock Exchange which was recently published and circulated for comment, and which was declared effective by the Commission after considering the comments received. The Commission further finds that § 240.10b-2 (d) and the action taken thereunder have the effect of relieving restriction and granting exemption and that, therefore, such action may be declared effective immediately pursuant to section 4 (c) of the Administrative Procedure Act.

(Sec. 23, 48 Stat. 901, as amended; 15 U. S. C. 78w. Interprets or applies sec. 10, 48 Stat. 891; 15 U. S. C. 78j)

Effective: September 21, 1953.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

SEPTEMBER 21, 1953.

[F. R. Doc. 53-8337; Filed, Sept. 29, 1953; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 577—MEDICAL AND DENTAL ATTENDANCE

DENTAL ATTENDANCE

Sections 577.40 through 577.46 are revised as follows:

Sec.
577.40 General.
577.41 For whom authorized.
577.42 Dental care by civilian dentists.
577.43 Rendition and payment of accounts for services of civilian dentists.
577.44 Persons ordered on detached service.
577.45 Private practice by dental officers.
577.46 Dental materials.

AUTHORITY: §§ 577.40 to 577.46 issued under R. S. 161; 5 U. S. C. 22.

SOURCE: AR 40-510, September 10, 1953.

§ 577.40 *General* — (a) *Definition.* The term "dental care" as used in §§ 577.40 to 577.46 embraces the field of dentistry as commonly practiced by the dental profession.

(b) *Precedence in treatment.* Persons requiring emergency treatment will receive first consideration. Persons on active military duty will have precedence over others authorized treatment under § 577.2.

(c) *Selection of professional procedures.* Except as otherwise prescribed herein, the selection of professionall procedures to be followed in each case, including the use of special dental materials, will be left to the judgment of the dental officer concerned. The highest standards of dental treatment will be maintained.

(d) *Governing regulations.* In general, §§ 577.1, 577.2, 577.5, 577.15 and 577.18 relating to medical care will govern dental care except as otherwise provided in §§ 577.40 to 577.46.

§ 577.41 *For whom authorized.* Dental care is authorized for the same persons and under the same conditions as medical care (see §§ 577.1, 577.2, 577.5, 577.15 and 577.18), subject to the provisions of § 577.42 regarding dental care by civilian dentists.

§ 577.42 *Dental care by civilian dentists*—(a) *For whom authorized.* Subject to the conditions and limitations specified, dental care by civilian dentists at the expense of Army Medical Service funds is authorized for the following personnel and none other when the required care cannot be procured from available dental facilities of the Department of Defense or other Federal agencies outside the Department of Defense, provided that this authorization will not apply to personnel who obtain elective dentistry from civilian dentists:

(1) Officers, warrant officers, and enlisted personnel of the Regular Army and cadets of the United States Military Academy when on a duty status or when absent on any authorized leave or pass. Charges incurred for civilian dental care when absent without leave are the sole responsibility of the individual concerned.

(2) Officers, warrant officers, and enlisted personnel of the Army Reserve; the Federally recognized National Guard of the several States, Territories, and the District of Columbia, the National Guard of the United States; and the Army without specification as to component when ordered or called into active Federal service or when ordered to active or inactive duty training (see sec. 5, act of April 3, 1939 (53 Stat. 557) as amended, (10 U. S. C. 456))

(3) Members of the Reserve Officers' Training Corps en route to, or from, or during their attendance at camps of in-

struction under section 47a, National Defense Act (41 Stat. 778) as amended (10 U. S. C. 441)

(4) Applicants for enlistment or reenlistment and inductees under the Universal Military Training and Service Act (65 Stat. 75) as amended (limited to necessary dental examination except as provided in subparagraph (5) of this paragraph)

(5) Applicants for entry into the Army or inductees while undergoing observation.

(6) Prisoners.

(7) Prisoners of war, persons interned by the Army, and other persons in military custody or confinement.

(8) Civilian seamen in the service of vessels operated by the Department of the Army.

(b) *Payment when not in line of duty.* In the event a member of an Army reserve component (Army Reserve, National Guard and National Guard of the United States, or the Reserve Officers' Training Corps) is furnished dental care by a civilian dentist after termination of camp or the prescribed tour of active duty for training, for personal injury or disease contracted not in line of duty, the member concerned is personally responsible for payment of charges for dental care furnished by civilian dentists.

(c) *Emergency dental care.* Prior approval of higher authority is not required for the employment of a civilian dentist for emergency dental treatment, which is defined as dental treatment for the relief of pain, or acute septic conditions, or of dental injuries caused by direct violence. Such care will be confined to the relief of the immediate emergency. Followup procedures are subject to the provisions of paragraph (d) of this section.

(d) *Routine or extensive dental care.* (1) Civilian dentists may not be employed at public expense for the treatment of chronic lesions, filling operations, prosthetic replacements, and other prolonged or extensive procedures, such as those required following the relief of an immediate emergency, until specific approval for such employment has been received from the approving authority, provided that in the case of military personnel on detail without troops in foreign countries, dental service of this character which is urgently necessary may be procured at reasonable rates without prior approval of higher authority.

(2) Application for authority to employ a civilian dentist for routine or extensive dentistry will be made as follows:

(i) *For patients and duty personnel assigned at class II Army medical installations and activities.* The Surgeon General, Department of the Army, Washington 25, D. C.

(ii) *For patients and duty personnel at other installations and activities within the continental United States (including members of the Army Reserve and Reserve Officers' Training Corps of the Army)* The appropriate continental army commander or the Commanding General, Military District of Washington, for their respective geographical areas.

(iii) *For patients and duty personnel at installations and activities outside the continental United States (including members of the Army Reserve and members of the Reserve Officers' Training Corps of the Army).* The appropriate oversea commander.

(iv) *For members of the Federally recognized National Guard of the several States, Territories, and the District of Columbia and the National Guard of the United States.* Chief, National Guard Bureau, Washington 25, D. C.

(v) *For military personnel in continental United States who are on leave, temporary duty, or detached service from oversea stations or who are awaiting reassignment from oversea stations.* The appropriate continental army commander in whose area the patient's port of entry (aerial or water port of debarkation) is located.

(vi) *For members of Army military missions.* The Officer in Charge.

(vii) *For members in the Army attache system.* The military Attache.

(3) In requesting authority to employ a civilian dentist, information will be given as follows:

(i) Character and extent of the disability.

(ii) Its origin or causation, and if due to external violence, what the violence was and when it occurred.

(iii) Professional procedures considered necessary to correct it.

(iv) Estimate of the time required for its correction and the probable cost thereof.

(v) Statement of the duties upon which the patient is engaged and how his absence therefrom, should dental treatment require it, would affect the public interest.

(vi) When the patient was last on duty at a station where the services of a dental officer were available.

(vii) Probable length of tour of duty at the patient's present station.

(viii) Present status, whether duty, leave, or pass. If on leave or pass, the day of termination should be stated. The approving authority, upon receipt of this information may, as he considers proper, grant or deny the request for civilian dental treatment or recommend that the patient be ordered to a military installation where he can receive dental service.

§ 577.43 *Rendition and payment of accounts for services of civilian dentists.* (a) Ordinarily, accounts will be prepared locally in the name of the dentist on WD AGO Form 8-9 and DA AGO Form 8-10 (Public Voucher for Medical Services) and forwarded for settlement to the approving authority indicated in § 577.42 (d) (2). Vouchers for dental services rendered military personnel on duty without troops overseas will be paid locally. Charges will be allowed in reasonable amount only. In cases which present unusual or difficult aspects, the army of oversea commanders will request advice and recommendation of The Surgeon General, Department of the Army, Washington 25, D. C.

(b) Blank forms will be obtained in accordance with current directives. Charges for civilian dental care should not be paid other than by a disbursing officer except when absolutely necessary. When, however, payment has been made by an individual other than a disbursing officer, WD AGO Forms 8-17 and 8-18 (Public Voucher—Reimbursement of Medical Bills) will be used to claim reimbursement. Reimbursement vouchers must be accompanied by subvouchers, WD AGO Form 8-9 and DA AGO Form 8-10, stating the services paid for in detail and bearing receipts signed by the person who furnished the services, acknowledging payment therefor by the claimant.

§ 577.44 *Persons ordered on detached service.* When ordered to permanent detached service from a station where a dental officer is on duty, military personnel will report at once to the dental surgeon for dental examination and necessary treatment. Also, persons who may be performing detached service will, while attending summer training camps and at such other times as they may be where the services of a dental officer are available, report to such officer for examination and necessary treatment. Dental officers will give preference to the care and treatment of such persons.

§ 577.45 *Private practice by dental officers.* Army dental officers will not engage in civil practice in civilian communities, the dental needs of which are met by civilian practitioners. They may, however, engage in consultation practice with the civilian practitioners. They should at all times, in the absence of civilian practitioners, perform dental procedures necessary to prevent undue suffering. The establishment of an office by a dental officer for the purpose of engaging in civil practice is prohibited.

§ 577.46 *Dental materials*—(a) *General.* The dental surgeon will be held strictly responsible for the economical use of all dental materials, particularly special dental materials (gold) and will limit their expenditure to the minimum consistent with good service. In arriving at a decision relative to the use of special dental materials in a given case, he will be governed by the technical procedures involved, the time required for them, other more routine demands made upon his operating time, and the actual requirements of the case.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-8328; Filed, Sept. 23, 1953; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-103—Revocation]

M-103—DIAMOND GRINDING WHEELS

REVOCATION

NPA Order M-103 dated March 13, 1952 (17 F. R. 2230), as amended by Amendment 1 of June 10, 1952 (17 F. R. 5300), is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M–103 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 95, 83d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective September 28, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W AUXIER,
Executive Secretary.

[F. R. Doc. 53–8410; Filed, Sept. 28, 1953; 12:06 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

PAYMENT OF PENSION OR COMPENSATION BASED ON SCHOOL ATTENDANCE

In paragraph (c) of § 4.98, subparagraphs (4) (i) and (5) are amended to read as follows:

§ 4.98 *Payment of pension or compensation based on school attendance.* * * *

(c) *Holiday or vacation periods.* * * *

(4) Report of failure to commence or resume course—(i) *If award has been made.* If notice as described in subparagraph (3) of this paragraph has not been received, and it is ascertained after the close of the holiday or vacation period that the child has failed to commence or resume an approved course at the next regular term, or if the required evidence of attendance is not received within 10 days (30 days if residence is outside the continental limits of the United States) after the date the child expected to commence school attendance, payments will be discontinued effective the day preceding the date on which the course was to have been commenced or resumed or the date of last payment, whichever is the earlier: *Provided,* That if the reason for the failure to commence or resume the course was the marriage of the child, the ending date will be the day preceding the marriage: *Provided further* That if no payments have been made, the award will be reduced or discontinued from its effective date but not prior to the date of expiration of the last regular term.

* * * * * *

(5) *Resumption of payments after discontinuance for failure to submit notice of commencement.* Payments reduced or discontinued pursuant to subparagraph (4) (i) of this paragraph for failure to submit VA Form 8–674 within 10 days (30 days if residence is outside the continental limits of the United States) after the date the child expected to commence the course of training will be resumed, if otherwise in order, from the effective date of such reduction or discontinuance upon receipt within 1 year from that date of VA Form 8–674 showing attendance at the commencement of term for which such benefits were denied.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective September 30, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator

[F. R. Doc. 53–8373; Filed, Sept. 29, 1953; 8:54 a. m.]

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

MISCELLANEOUS AMENDMENTS

1. In Part 6, § 6.47 is revised to read as follows:

§ 6.47 *To a policy at a higher rate of premium as of original effective date.* A United States Government life insurance policy on any plan of insurance may be exchanged for a policy of the same amount, bearing the same date, and based on the same age, on any plan of insurance issued by the Veterans' Administration at a higher rate of premium, upon payment of the difference between the reserve on the new policy and the reserve on the old policy. Such exchange will be made without medical examination and upon complete surrender of the policy while in force.

2. Section 6.51 is revised to read as follows:

§ 6.51 *To a policy at a higher rate of premium as of a current effective date.* A United States Government life insurance policy on the 5-year convertible term plan or the 5-year level premium term plan may be exchanged for a policy of the same amount on any plan of insurance issued by the Veterans' Administration at a higher rate of premium, upon payment of the current monthly premium at the attained age of the insured for the plan of insurance selected: *Provided,* That where premium waiver on United States Government life insurance is effective under section 622 of the National Service Life Insurance Act, as amended, that portion of the current monthly premium at the attained age of the insured for the plan of insurance selected which is not required for the pure insurance risk must be paid. The reserve (if any) on the policy will be allowed as a credit on the current monthly premium. Such exchange will be made without medical examination upon complete surrender of the policy while in force and within 5 years from the effective date of the policy.

3. Sections 6.170 and 6.175 are amended to read as follows:

§ 6.170 *Renewal of United States Government life insurance on the 5-year level premium term plan.* Pursuant to the provisions of an amendment approved July 23, 1953, amending section 301 of the World War Veterans' Act, 1924, as amended (Pub. Law 148, 83d Cong., approved July 23, 1953), all or any part of United States Government life insurance on the 5-year level premium term plan, in any multiple of $500 and not less than $1,000, which is not lapsed at the expiration of any 5-year level premium term period, shall be automatically renewed without application or medical examination for a successive 5-year period at the 5-year level premium term rate for the then attained age of the insured. The renewal of insurance for any successive 5-year period will become effective as of the day following the expiration of the preceding 5-year period, and the premium for such renewal will be at the 5-year level premium term rate for the attained age of the policyholder on that day: *Provided,* That no insurance is subject to renewal if the policyholder has exercised his optional right to change to another plan of insurance.

§ 6.175 *Grace for payment of premiums; 5-year level premium term policy.* For the payment of any premium under a United States Government life insurance policy on the 5-year level premium term plan, a grace of 31 days without interest will be allowed, during which time the policy will remain in force, but, if the policy shall become a claim within the grace period, the unpaid premiums shall be deducted from the amount of insurance payable. A 5-year level premium term policy shall cease and become void at the end of the 60-month period unless renewed as provided in Veterans' Administration regulations.

4. In § 6.180, the introductory text and paragraphs (a) and (c) are amended to read as follows:

§ 6.180 *Continuance of insurance after termination of total and permanent rating and award, where such termination is effective after the expiration of the term period.* If United States Government life insurance on the 5-year level premium term plan (or on the 5-year convertible term plan) matures or has matured by reason of total and permanent disability and the insured recovers from such disability after expiration of the term period the reduced amount of insurance (commuted value of remaining unpaid installments) shall be automatically renewed at the premium rate for the attained age of the insured on the policy anniversary renewal date of the current 5-year period. The reduced amount of insurance or any part thereof in multiples of $500 and not less than $1,000 may be continued without medical examination on the level premium term plan or on any permanent plan, as the insured may elect, and subject to the following provisions:

(a) Such insurance may be continued in force as 5-year-level premium term insurance upon payment of premiums as required in paragraph (c) of this section at the rate required for the attained age of the insured on the policy anniversary renewal date for the current 5-year period. A certificate of renewal will be issued effective on the policy anniversary renewal date.

* * * * *

(c) The insurance shall lapse unless the first premium is paid in accordance with this paragraph. The first premium on the reduced amount of insurance for the plan selected is payable on the first day of the month following the month for which the last installment under the total and permanent disability rating was paid to the insured, but may be paid within 31 days from the date of notice advising of the amount of insurance and the monthly premium rate. Thereafter, subsequent premiums will be payable in accordance with the terms and conditions of the policy.

5. In § 6.185, the headnote and paragraph (e) are amended to read as follows:

§ 6.185 *Premium waiver on United States Government life insurance under section 622 of the National Service Life Insurance Act, as amended.* * * *

(e) United States Government life insurance on the 5-year level premium term shall be automatically renewed for an additional 5-year period at the premium rate for the then attained age of the insured, provided the premiums on such insurance are being waived under this section at the expiration of the term period. The renewal of insurance under this paragraph shall be effective as of the day following the expiration of the preceding term period and the premium for such renewed insurance will be at the 5-year level premium term rate for the attained age of the insured on that day. The premiums on the insurance renewed under this paragraph shall continue to be waived while the insured continues in active service and for 120 days after separation therefrom.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 6, 65 Stat. 35; 38 U. S. C. 11a, 426, 707, 855. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

6. In Part 8, §§ 8.33 and 8.34 are revised to read as follows:

§ 8.33 *Exchange of a 5-year level premium term policy as of a current effective date.* National Service life insurance on the level premium term plan, other than nonconvertible 5-year level premium term insurance issued under the provisions of section 621 of the National Service Life Insurance Act, as amended, which is in force may be exchanged, effective as of the date any premium becomes due within the term period, for insurance of the same amount, on any other plan, on the same reserve basis, issued by the Veterans' Administration under the National Service Life Insurance Act of 1940, as amended, upon payment by the insured (except where premium waiver under section 602 (n) of the act, as amended, is effective) of the current monthly premium at the attained age of the insured for the plan of insurance selected: *Provided,* That where premium waiver is effective under section 622 of the National Service Life Insurance Act, as amended, that portion of the current monthly premium at the attained age of the insured for the plan of insurance selected which is not required for the pure insurance risk must be paid. The reserve (if any) on the policy will be allowed as a credit on the current monthly premium except where premium waiver is effective: *Provided,* That conversion to an endowment plan may not be made while the insured is totally disabled. The exchange will be made without medical examination, except when deemed necessary to determine whether an applicant for exchange to an endowment plan is totally disabled, and upon complete surrender of the policy while in force by payment or waiver of premiums.

(Sec. 10, 65 Stat. 36; 38 U. S. C. 820–823)

§ 8.34 *Exchange of a level premium term policy as of a date prior to the current month.* National Service life insurance on the level premium term plan, other than nonconvertible 5-year level premium term insurance issued under the provisions of section 621 of the National Service Life Insurance Act, as amended, which is in force may be exchanged, effective as of the date any premium has become due within the term period, for insurance of the same amount, on any other plan, on the same reserve basis, issued by the Veterans' Administration under the National Service Life Insurance Act of 1940, as amended, upon payment by the insured of the difference between the reserve on the new policy and the reserve on the old policy and payment by the insured (except where premium waiver under section 602 (n) of the act, as amended, is effective) of the current monthly premium at the attained age of the insured as of the effective date of the new policy: *Provided,* That where premium waiver is effective under section 622 of the National Service Life Insurance Act, as amended, the required reserve on the new policy must be paid together with that portion of the current monthly premium at the attained age of the insured as of the effective date of the new policy which is not required for pure insurance risk: *Provided further,* That conversion to an endowment plan may not be made while the insured is totally disabled. The exchange will be made without medical examination, except when deemed necessary to determine whether an applicant for exchange to an endowment plan is totally disabled, and upon complete surrender of the policy while in force by payment or waiver of premiums: *Provided,* That waiver of the premiums on the new policy shall not be effective prior to the date such policy change was made.

(Sec. 10, 65 Stat. 36; 38 U. S. C. 820–823)

7. Section 8.85 is revised to read as follows:

§ 8.85 *Renewal of National Service life insurance on the 5-year level premium term plan.* Pursuant to the provisions of an amendment approved July 23, 1953, amending section 602 (f) of the National Service Life Insurance Act of 1940, as amended (Pub. Law 148, 83d Cong., approved July 23, 1953) all or any part of National Service life insurance on the 5-year level premium term plan in any multiple of $500 and not less than $1,000, which is not lapsed at the expiration of any 5-year level premium term period, shall be automatically renewed without application or medical examination for a successive 5-year period at the 5-year level premium term rate for the then attained age of the insured: *Provided,* That in any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration at the level premium term period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance, if subject to renewal under this section, shall be automatically renewed for an additional period of 5 years at the premium rate for the then attained age. The renewal of insurance for any successive 5-year period will become effective as of the day following the expiration of the preceding term period, and the premium for such renewal will be at the 5-year level premium term rate for the attained age of the policyholder on that day: *Provided further* That no insurance is subject to renewal if the policyholder has exercised his optional right to change to another plan of insurance.

8. Section 8.86 *Renewal of National Service life insurance on 5-year level premium term plan issued under the provisions of section 621 of the National Service Life Insurance Act, as amended April 25, 1951,* is revoked.

9. In § 8.112, the headnote and paragraph (a) are amended to read as follows:

§ 8.112 *National Service life insurance issued under section 621 of the National Service Life Insurance Act, as amended.* (a) National Service life insurance granted under the provisions of section 621 of the National Service Life Insurance Act, as amended, shall be issued upon the same terms and conditions as are contained in the standard policies of National Service life insurance on the 5-year level premium term plan except (1) such insurance may not be exchanged for or converted to insurance on any other plan; (2) the premium rates for such insurance shall be based on the Commissioners 1941 Standard Ordinary Table of Mortality with interest at the rate of 2¼ per centum per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of the annuity table for 1949, with interest at the rate of 2¼ per centum per annum; and (4) insurance issued under this section of the act shall be nonparticipating.

* * * * *

10. In § 8.113, the headnote and paragraph (e) are amended to read as follows:

§ 8.113 *Premium waiver under section 622 of the National Service Life Insurance Act, as amended.* * * *

(e) National Service life insurance on the 5-year level premium term plan shall be automatically renewed for an additional 5-year period at the premium rate for the then attained age of the insured, provided the premiums on such insurance are being waived under this section at the expiration of the term period. The renewal of insurance under this paragraph shall be effective as of the day following the expiration of the pre-

ceding term period, and the premium for such renewed insurance will be at the 5-year level premium term rate for the attained age of the insured on that day. The premiums on the insurance renewed under this paragraph shall continue to be waived while the insured continues in active service and for 120 days after separation therefrom.

* * * * *

(Sec. 608, 54 Stat. 1012, as amended, sec. 6, 65 Stat. 35; 38 U. S. C. 808, 855. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation is effective August 26, 1953.

[SEAL] H. V STIRLING,
Deputy Administrator

[F. R. Doc. 53-8374; Filed, Sept. 29, 1953; 8:55 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 915]

COLORADO

AMENDMENT OF PUBLIC LAND ORDER NO. 911 OF AUGUST 7, 1953, WITHDRAWING PUBLIC LANDS FOR THE USE OF THE ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

That part of the second paragraph preceding the land description of Public Land Order No. 911 of August 7, 1953, reserving public lands in Colorado for the use of the Atomic Energy Commission is hereby amended to read as follows:

Subject to valid existing rights, the public lands in the following-described areas in Colorado are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for the use of the Atomic Energy Commission.

D. OTIS BEASLEY,
Assistant Secretary of the Interior

SEPTEMBER 23, 1953.

[F. R. Doc. 53-8328; Filed, Sept. 29, 1953; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10595]

PART 1—PRACTICE AND PROCEDURE

PART 3—RADIO BROADCAST SERVICES

TIME FOR FILING APPLICATIONS FOR RENEWAL OF BROADCAST STATION LICENSES; LICENSE PERIODS OF NONCOMMERCIAL EDUCATIONAL FM BROADCAST STATIONS

In the matter of amendment of §§ 1.320 (a) and 3.520 of the Commission's rules relating to the time for filing applications for renewal of broadcast station licenses, and § 3.518 relating to license periods of non-commercial educational FM broadcast stations; Docket No. 10595.

1. The Commission has under consideration its notice of proposed rule making (FCC 53-906) issued July 23, 1953, and published in the FEDERAL REGISTER on July 29, 1953 (18 F. R. 4436) proposing to amend §§ 1.320 (a) and 3.520 of the Commission's rules to require the filing of non-commercial educational FM broadcast renewal applications 90 days prior to the expiration of the license sought to be renewed. It was also proposed to amend § 3.518 to provide a normal license period of 3 years for non-commercial educational FM broadcast station licenses and to provide for the determination of the expiration date of the normal station license period on a geographical basis so that the licenses of stations located in contiguous areas will expire at the same time.

2. The National Association of Educational Broadcasters filed comments supporting the proposed amendments, urging that the proposed amendments would serve the public interest, reduce the Commission's workload, and benefit the individual non-commercial FM broadcast licensees. No oppositions were filed.

3. Authority or adoption of the amendments herein is contained in sections 4 (i) 303 (r) 307 (a) (b) (d) and (e) 308 (a) and (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing: *It is ordered*, That effective 30 days from publication in the FEDERAL REGISTER, §§ 1.320, 3.518 and 3.520 of the Commission's rules and regulations are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 303, 307, 308, 48 Stat. 1082, as amended, 1084, 1085; 47 U. S. C. 303, 307, 308)

Adopted: September 23, 1953.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

1. Section 3.518 is amended to read as follows:

§ 3.518 *Normal license period.* (a) All noncommercial educational FM broadcast station licenses will be issued for a normal license period of three years. Licenses will be issued to expire at the hour of 3:00 a. m., e. s. t., in accordance with the following schedule and at three-year intervals thereafter.[1]

(1) For stations located in Delaware and Pennsylvania, August 1, 1954.

(2) For stations located in Maryland, District of Columbia, Virginia, West Virginia, October 1, 1954.

(3) For stations located in North Carolina, South Carolina, December 1, 1954.

(4) For stations located in Florida, Puerto Rico, and Virgin Islands, February 1, 1955.

(5) For stations located in Alabama and Georgia, April 1, 1955.

(6) For stations located in Arkansas, Louisiana, and Mississippi, June 1, 1955.

(7) For stations located in Tennessee, Kentucky, and Indiana, August 1, 1955.

(8) For stations located in Ohio and Michigan, October 1, 1955.

(9) For stations located in Illinois and Wisconsin, December 1, 1955.

(10) For stations located in Iowa and Missouri, February 1, 1956.

(11) For stations located in Minnesota, North Dakota, South Dakota, Montana, and Colorado, April 1, 1956.

(12) For stations located in Kansas, Oklahoma, Nebraska, June 1, 1956.

(13) For stations located in Texas, August 1, 1956.

(14) For stations located in Wyoming, Nevada, Arizona, Utah, New Mexico, and Idaho, October 1, 1956.

(15) For stations located in California, December 1, 1953.

(16) For stations located in Washington, Oregon, Alaska, and Hawaii, February 1, 1954.

(17) For stations located in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, April 1, 1954.

(18) For stations located in New Jersey and New York, June 1, 1954.

2. Section 3.520 (a) is amended to read as follows:

§ 3.520 *Renewal of license.* (a) Unless otherwise directed by the Commission, each application for renewal of a noncommercial educational FM broadcast station license shall be filed at least 90 days prior to the expiration date of the license sought to be renewed (FCC Form 342)

3. Section 1.320 is amended as follows: Delete paragraph (a) and substitute the following:

§ 3.320 *Application for renewal of license; broadcast and nonbroadcast.* (a) Unless otherwise directed by the Commission each application for renewal of license of a standard broadcast, FM broadcast, noncommercial educational FM broadcast, television broadcast station and an auxiliary broadcast station (remote pickup broadcast, broadcast STL, television pickup, television

[1] Renewals of licenses will be granted for the period specified in the rule: *Provided, however*, That if as a result of the transition from the previous schedule to the above schedule the period for which a license is renewed is 6 months or less, the licensee may within the period 60 days to 30 days before the expiration date of such renewed license file, in lieu of renewal application (FCC Form 342), a written application under oath for the next renewal of license which shall consist of (1) a request that its license be renewed; (2) a statement that no substantial changes have been made in its operations or in its plans for future operations since its last renewal application, or if changes have been made or proposed, a statement specifying such changes; and (3) a statement that the applicant waives any claim to the use of any particular frequency or of the other as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise. Upon review of such statements the Commission may grant a renewal of license for the full period provided for in the rule; or if the Commission requires additional information, it may require the filing of renewal application (FCC Form 342).

STL and television inter-city relay) shall be filed at least 90 days prior to the expiration date of the license sought to be renewed; and each application for renewal of license of a non-broadcast station shall be filed at least 60 [4] days prior to the expiration date of the license sought to be renewed. No application for renewal of license of a broadcast station [4a] will be considered unless there is on file with the Commission the information currently required by §§ 1.341 to 1.344 reference to which by date and file number shall be included in the application.

[F. R. Doc. 53-8370; Filed, Sept. 29, 1953; 8:54 a. m.]

[Docket No. 10589]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE

INTERIOR COMMUNICATIONS SYSTEM

In the matter of amendment of § 8.702 of the Commission's rules concerning the requirements for interior communications systems on ships subject to the radio requirements of the Safety of Life at Sea Convention, London, 1948; Docket No. 10589.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration its proposal in the above-entitled matter to amend § 8.702 of the Commission's rules for the purpose of more clearly establishing the circumstances under which an additional point of interior communications should be provided on board a vessel having more than one location from which it is normally controlled and steered; and

It appearing, that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, notice of proposed rule making in Docket 10589, which made provision for the submission of written comments by interested parties, was duly published in the FEDERAL REGISTER on July 23, 1953 (18 F. R. 4327) and

It further appearing, that the period in which interested persons were afforded opportunity to comment has expired, and the only comment received expressed approval of the proposal; and

It further appearing, that the public interest, convenience, and necessity will be served by the amendment herein ordered, the authority for which is contained in section 303 (r) of the Communications Act of 1934, as amended;

It is ordered, That effective 30 days after publication in the FEDERAL REGISTER, § 8.702 of Part 8 of the Commission's rules is amended as set forth below.

[4] The 60-day requirement does not apply to amateurs.

[4a] This requirement does not apply to non-commercial educational FM broadcast stations.

(Sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

Section 8.702 is amended to read as follows:

§ 8.702 *Interior communications systems.* (a) If a vessel is provided with more than one location from which it is normally controlled and steered, the interior communication system between the radio room and bridge installed under §§ 8.513 and 8.514 shall include in the system a point of communication to each such location. The existence at a location of all of the following factors will be considered to be evidence that a point of communication should there be established: (1) Provision of a steering wheel, (2) provision of a compass, (3) provision of an engine order telegraph, (4) provision of apparatus to control the whistle and (5) enclosure of the location to form a wheelhouse.

(b) In any event the requirement of paragraph (a) of this section shall not apply to locations established solely for emergency use in event of failure of the normal steering facilities or locations used solely while docking or maneuvering a ship while in port or occasionally for brief periods while navigating the ship in close quarters on inland waters.

[F. R. Doc. 53-8371; Filed, Sept. 23, 1953; 8:54 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR Part 301]

VIRGIN ISLANDS

DOMESTIC QUARANTINE NOTICES

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary of Agriculture, pursuant to sections 8 and 9 of the Plant Quarantine Act, as amended (7 U. S. C. 161, 162) and section 3 of the Insect Pest Act (7 U. S. C. 143), is considering amending the subpart Hawaiian Fruits and Vegetables; the subpart Sugarcane; the subpart Sweetpotatoes; the subpart Puerto Rican Fruits and Vegetables; the subpart Sand, Soil, or Earth, with Plants from Hawaii and Puerto Rico; and the subpart Citrus Canker Disease from Hawaii; in Part 301, Title 7, Code of Federal Regulations (7 CFR and Supp. 301.13, 301.13–1 et seq., 301.16; 301.30; 301.58, 301.58–1 et seq., 301.60; and 301.75), in the following respects;

It is proposed to:

1. Amend § 301.13 to read as follows:

§ 301.13 *Notice of quarantine.* Pursuant to section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture has determined that it is necessary to quarantine the Territory of Hawaii to prevent the spread to other parts of the United States of dangerous plant diseases and insect infestations, including the Mediterranean fruit fly (Ceratitis capitata (Wied.)), the melon fly (dacus cucurbitae Coq.), the oriental fruit fly (Dacus dorsalis Hendl.), citrus canker (Xanthomonas citri (Hasse) Dowson) green coffee scale (Coccus viridis Green) the bean pod borer (Maruca testulalis Geyer), the bean butterfly (Lampides boeticus L.), the Asiatic rice borer (Chilo simplex Butl.) the mango weevil (Cryptorhynchus mangiferae F.) and the Chinese rose beetle (Adoretus sinicus Burm.), which are new to or not widely prevalent or distributed within and throughout the United States, and said Secretary has quarantined the Territory of Hawaii because of such diseases and insect infestations.

No fruits or vegetables, in the natural or raw state; peel of fruits of any genus, species, or variety of the subfamily Aurantioideae, Rutoideae, or Toddalioideae of the botanical family Rutaceae; cut flowers; rice straw or mango seeds shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from the Territory of Hawaii into or through the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States, in manner or method or under conditions other than those prescribed in the regulations hereinafter made or amendments thereto: *Provided,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that existing conditions as to the pest risk involved in the movement of the articles to which the regulations supplemental hereto apply, make it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such findings in administrative instructions, specifying the manner in which the regulations should be made less stringent, whereupon such modification shall become effective.

2. Amend §§ 301.13–1 (i) 301.13–2, 301.13–7, 301.13–8, 301.13–9, 301.13–10, 301 13–11, 301.13–12, 301.13–13, and 301 13–14 by deleting the phrase "any other Territory or State or District of the United States" the phrase "any other Territory, State, or District of the United States" and the phrase "any State, Territory or District of the United States" wherever they appear therein

and substituting therefor the phrase "the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States."

3. Amend the second sentence in § 301.13–10 to read: "Except in the case of forced landings, all aircraft moving between the Territory of Hawaii and the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States, shall, upon coming within the territorial limits of the continental United States, Alaska, Puerto Rico, or said Virgin Islands, land at an airport of entry, unless permission to land elsewhere than at an airport of entry is first granted by the Commissioner of Customs, Washington, D. C., with concurrence of the Bureau of Entomology and Plant Quarantine, and shall remain there until inspected and released by the inspector."

4. Amend § 301.16 to read as follows:

§ 301.16 *Notice of quarantine.* The Secretary of Agriculture having previously quarantined Hawaii and Puerto Rico to prevent the spread to other parts of the United States of certain dangerous plant diseases and insect infestations of sugarcane now determines that it is necessary also to quarantine the Virgin Islands of the United States to prevent the spread of dangerous plant diseases and insect infestations of sugarcane found in said Virgin Islands and new to and not widely prevalent or distributed within and throughout the United States, including the West Indian sugarcane root borer, Diaprepes abbreviatus (L.) and the gummosis disease, Xanthomonas vasculorum (Cobb) Dowson.

Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture hereby quarantines Hawaii, Puerto Rico, and the Virgin Islands of the United States to prevent the spread of said dangerous plant diseases and insect infestations of sugarcane.

No canes of sugarcane, or cuttings or parts thereof, or sugarcane leaves, or bagasse, shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Hawaii, Puerto Rico, or the Virgin Islands of the United States into or through any other State, Territory, or District of the United States: *Provided,* That the prohibitions of this section shall not apply to the movement of such products from the Virgin Islands of the United States to Puerto Rico; nor prohibit the movement of such products by the United States Department of Agriculture for scientific or experimental purposes; nor prohibit the movement of specific products which the Department may authorize under permit, on condition that they are to be so treated, processed, or manufactured and so handled in connection with such treatment, processing, or manufacture, that, in the judgment of the Department their movement will involve no pest risk, or under certificate issued by the Department that they have been thus treated, processed, or manufactured; *Provided further* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the products to which this subpart applies, making it safe to modify, by making less stringent, the requirements contained therein, he shall set forth and publish such finding in administrative instructions specifying the manner in which the subpart should be made less stringent, whereupon such modification shall become effective. As used in this section, the term "State, Territory, or District of the United States" means "Alaska, Hawaii, Puerto Rico, the Virgin Islands of the United States, or the continental United States."

5. Amend §301.30 to read as follows:

§ 301.30 *Notice of quarantine.* The Secretary of Agriculture having previously quarantined Hawaii and Puerto Rico to prevent the spread to other parts of the United States of the sweetpotato scarabee (Euscepes postfasciatus Fairm.) and the sweetpotato stem borer (Omphisa anastomosalis Guen.) dangerous insect infestations new to and not widely prevalent or distributed within or throughout the United States, now determines that it is necessary also to quarantine the Virgin Islands of the United States to prevent the spread of the sweetpotato scarabee from said Virgin Islands.

Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture hereby quarantines Hawaii, Puerto Rico, and the Virgin Islands of the United States to prevent the spread of the sweetpotato scarabee (Euscepes postfasciatus Fairm.) and the sweetpotato stem borer (Omphisa anastomosalis Guen.)

No variety of sweetpotatoes (Ipomoea batatas Poir.) shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Hawaii, Puerto Rico, or the Virgin Islands of the United States into or through any other State, Territory, or the District of the United States: *Provided,* That the prohibitions of this section shall not apply to the movement of sweetpotatoes in either direction between Puerto Rico and the Virgin Islands of the United States; nor prohibit the movement of sweetpotatoes by the United States Department of Agriculture for scientific or experimental purposes; nor prohibit the movement from Puerto Rico or the Virgin Islands of the United States of sweetpotatoes which the Chief of the Bureau of Entomology and Plant Quarantine may authorize under permit or certificate to such northern ports of the United States as he may designate in such permit or certificate, conditioned upon the fumigation of such sweetpotatoes under the supervision of an inspector of said Bureau either in Puerto Rico or the Virgin Islands of the United States or at the designated port of arrival, in a manner approved by the said Chief of Bureau: *Provided further,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of sweetpotatoes or any classification thereof to which this subpart applies, making it safe to modify, by making less stringent, the requirements contained therein, he shall set forth and publish such finding in administrative instructions specifying the manner in which the subpart should be made less stringent, whereupon such modification shall become effective. As used in this section, the term "State, Territory, or District of the United States" means "Alaska, Hawaii, Puerto Rico, the Virgin Islands of the United States, or the continental United States."

6. Redesignate subpart "Puerto Rican Fruits and Vegetables" as subpart "Fruits and Vegetables from Puerto Rico or Virgin Islands" and amend § 301.58 to read as follows:

§ 301.58 *Notice of quarantine.* The Secretary of Agriculture having previously quarantined Puerto Rico to prevent the spread to other parts of the United States of certain dangerous insect infestations, including the fruit flies, Anastrepha suspensa (Loew) and A. mombinpraeoptans Sein, and the bean pod borer, Maruca testulalis (Geyer) not heretofore widely prevalent or distributed within and throughout the United States, now determines that it is necessary also to quarantine the Virgin Islands of the United States to prevent the spread of such dangerous insects from said Virgin Islands.

Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture hereby guarantines Puerto Rico and the Virgin Islands of the United States to prevent the spread of said dangerous insect infestations.

No fruits or vegetables shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Puerto Rico or the Virgin Islands of the United States into or through Alaska, Hawaii, or the continental United States, in manner or method or under conditions other than those prescribed in the regulations hereinafter made or amendments thereto: *Provided,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the products to which this subpart applies, making it safe to modify, by making less stringent, the requirements contained therein, he shall set forth and publish such finding in administrative instructions specifying the manner in which the subpart should be made less stringent, whereupon such modification shall become effective.

No restrictions are placed hereby on the movement of fruits or vegetables in either direction between Puerto Rico and the Virgin Islands of the United States.

This section leaves in full force and effect § 301.30, which restricts the movement from Hawaii, Puerto Rico, and the

Virgin Islands of the United States into any of the States or certain Territories or Districts of the United States of all varieties of sweetpotatoes (Ipomoea batatas Poir.)

7. Amend § 301.58–1 by deleting the word "fresh" from paragraph (a) and by adding to § 301.58–1 a new paragraph (d) to read:

(d) *Moved (movement and move).* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Puerto Rico or the Virgin Islands of the United States into or through Alaska, Hawaii, or the continental United States ("movement" and "move" shall be construed accordingly.)

8. Amend §§ 301.58–2, 301.58–3 (a) 301.58–4, 301.58–5, and 301.58–6 by deleting the phrase "from Puerto Rico into or through any other State, Territory, or District of the United States" wherever it appears therein.

9. Further amend § 301.58–3 (a) by deleting the phrase "or alowed to be moved" and by changing the list of articles therein to read:

String beans, lima beans, faba beans, and pigeonpeas, in the pod, will be certified for movement only when they have been treated as prescribed by the Chief of the Bureau of Entomology and Plant Quarantine and under the supervision of an inspector, except that movement of these articles to Baltimore, Maryland and Atlantic Coast ports north thereof will be allowed under certification but without such treatment.

Citrus fruits (orange, grapefruit, lemon, citron, and lime).

Corn (sweet corn on cob).

Peppers.

10. Amend § 301.58–3 (b) by inserting "Horseradish (Armoracia)" after "Ginger root (Zingiber officinale)" in the list of products free to move without certification unless found upon inspection to be infested.

11. Amend § 301.58–7 by inserting the phrase "or the Virgin Islands of the United States" after the phrase "Puerto Rico" wherever the latter appears therein and by changing the proviso to read: "*Provided,* That all such products shall upon arrival in Hawaii, Alaska, or the continental United States be submitted for inspection and disposition as provided in §§ 301.58–8 and 301.58–11, and (a) they must be free from infestation with injurious insects; (b) those fruits and vegetables not listed in § 301.58–3 shall not be landed; (c) prohibited fruits and vegetables retained aboard shall be subject to the safeguards provided in § 352.8 of this chapter."

12. Amend §§ 301.58–8, 301.58–9, 301.–58–10, 301.58–13 and 301.58–14 by inserting the phrase "or the Virgin Islands of the United States" after the phrase "Puerto Rico" wherever the latter appears therein.

13. Amend § 301.58–11 to read as follows:

§ 301.58–11 *Inspection of personal belongings.* Inspectors are authorized to inspect the baggage and other personal belongings of passengers and members of the crew on ships, vessels, or aircraft plying between Puerto Rico or the Virgin Islands of the United States and any other State, Territory, or District of the United States, in order to determine whether they contain products prohibited or restricted movement by this subpart, and if infested or unauthorized products are found, to require such safeguarding, treatment, or destruction as in the judgment of the inspector may be necessary. For the purpose of such inspection an inspector is authorized to open any box, bale, crate, bundle, or other package, including trunks, which may contain or be liable to contain any of the fruits or vegetables covered by the § 301.58. The inspector shall designate whether such inspection shall be made at the port of departure in Puerto Rico or the Virgin Islands of the United States or at the port of debarkation within any other State, Territory, or District of the United States and no such baggage or personal belongings of passengers or crew shall be removed from the dock, airport, or landing field at the port where the inspection is to be made until the same have been inspected and passed by an inspector. The inspection provisions of this section are not applicable to the personal belongings of passengers and crews moving only in either direction between Puerto Rico and the Virgin Islands of the United States.

14. Amend § 301.58–15 to read as follows:

§ 301.58–15 *Special provisions for preflight inspection in Puerto Rico or the Virgin Islands of aircraft, cargo, etc.* Notwithstanding any other provisions in the regulations in this subpart, any aircraft proceeding from Puerto Rico or the Virgin Islands of the United States to or through Alaska, Hawaii, or the continental United States, and its cargo and stores, and the baggage and other personal belongings of its passengers and crew members, may at the discretion of an inspector, be inspected as provided in this section immediately prior to the departure of such aircraft from Puerto Rico or the Virgin Islands of the United States, in lieu of inspection at port of debarkation, and the provisions of §§ 301.58–4 and 301.58–6 through 301.58–11 shall not apply to such aircraft, cargo, stores, baggage, and personal belongings which are so inspected. When such aircraft, cargo, stores, baggage, and personal belongings have been so inspected and found free of dangerous insects and products, the movement of which is prohibited by § 301.58 and the regulations in this subpart, the inspector shall issue a certificate to that effect for delivery to the aircraft commander as evidence for later presentation at the port of debarkation that such inspection has been made. Any aircraft found upon such preflight inspection to contain or to be contaminated with any such insects or products shall be disinfected by the person in charge or in possession of such aircraft, under the supervision of an inspector and in manner prescribed by him, before it will qualify for such a certificate. When, for any other reason, in the judgment of the inspector a hazard of spread of dangerous insects is presented in the movement of aircraft to be given preflight inspection, disinfection of such aircraft, by the inspector or, under his supervision, by the person in charge or possession of the aircraft, may be required by the inspector before the aircraft will qualify for such a certificate. Products authorized movement in § 301.58–3 must be inspected and certified, or otherwise approved by the inspector for movement, before being taken aboard any aircraft as cargo, stores, baggage, or otherwise, when such aircraft is to be given preflight inspection, and must in other respects comply with the requirements of §§ 301.58–3 and 301.58–5 except insofar as contrary provision is made in this section. The inspection provisions of this section are not applicable to the movement of aircraft, cargo, stores, and personal belongings of passengers and crews moving in either direction only between Puerto Rico and the Virgin Islands of the United States.

15. Redesignate subpart "Sand, Soil, or Earth, with Plants from Hawaii and Puerto Rico" as "Sand, Soil, or Earth, with Plants from Territories and Insular Possessions" and amend § 301.60 to read as follows:

§ 301.60 *Notice of quarantine.* The Secretary of Agriculture having previously quarantined Hawaii and Puerto Rico to prevent the spread to other parts of the United States, by means of sand, soil, or earth about the roots of plants, of immature stages of certain dangerous insects, including Phyllophaga spp. (white grubs), Phytalus sp., adoretus sp., and of several species of termites or white ants, new to and not heretofore widely prevalent or distributed within and throughout the United States, now determines that it is necessary also to quarantine the Virgin Islands of the United States to prevent the spread of such dangerous insects from said Virgin Islands.

Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture hereby quarantines Hawaii, Puerto Rico, and the Virgin Islands of the United States to prevent the spread of said dangerous insects.

Sand (other than clean ocean sand) soil, or earth around the roots of plants shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Hawaii, Puerto Rico, or the Virgin Islands of the United States into or through any other State, Territory, or District of the United States: *Provided,* That the prohibitions of this section shall not apply to the movement of such products in either direction between Puerto Rico and the Virgin Islands of the United States; *Provided further* That such prohibitions shall not prohibit the movement of such products by the United States Department of Agriculture for scientific or experimental purposes nor prohibit the movement of sand, soil, or earth around the roots of

plants which are carried, for ornamental purposes, on vessels into mainland ports of the United States and which are not intended to be landed thereat, when evidence is presented satisfactory to the inspector of the Bureau of Entomology and Plant Quarantine of the Department of Agriculture (a) that such sand, soil, or earth has been so processed or is of such nature that no pest risk is involved, or (b) that the plants with sand, soil, or earth around them are maintained on board under such safeguards as will preclude pest escape: *And provided further* That such prohibitions shall not prohibit the movement of plant cuttings or plants that have been (1) freed from sand, soil, and earth, (2) subsequently potted and established in sphagnum moss, or other packing material approved under § 319.37–16 that had been stored under shelter and had not been previously used for growing or packing plants, (3) grown thereafter in a manner satisfactory to an inspector of the Bureau of Entomology and Plant Quarantine to prevent infestation through contact with sand, soil, or earth, and (4) certified by an inspector of the Bureau of Entomology and Plant Quarantine as meeting the requirements of subparagraphs (1) (2) and (3) of this paragraph.

As used in this section, the term "State, Territory, or District of the United States" means "Alaska, Hawaii, Puerto Rico, the Virgin Islands of the United States, or the continental United States."

16. Amend § 301.75 to read as follows:

§ 301.75 *Notice of quarantine.* Pursuant to section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161) and having given public hearing as required thereunder, the Secretary of Agriculture has determined that it is necessary to quarantine Hawaii to prevent the spread to other parts of the United States of a dangerous plant disease (Xanthomonas citri (Hasse) Dowson) and other dangerous citrus plant diseases, new to and not widely prevalent or distributed within and throughout the United States, and said Secretary has quarantined Hawaii because of said diseases.

No plants or any plant parts, except fruits and seeds, of any genus, species, or variety of the subfamilies Aurantioideae, Toddalioideae, or Rutoideae of the botanical family Rutaceae shall be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from Hawaii into or through the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States, except that this subpart shall not prohibit the movement of such plants or plant parts for experimental or scientific purposes by the United States Department of Agriculture, upon such conditions and under such requirements as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine.

The primary purpose of these amendments is to protect against the spread of certain plant pests occurring in the Virgin Islands of the United States to other parts of the United States and to protect the Virgin Islands of the United States against certain plant pests of Hawaii.

The amendments also would relieve certain requirements imposed under the present Puerto Rican fruits and vegetables quarantine and the present quarantine covering sand, soil, or earth with plants from Hawaii and Puerto Rico, and would make minor clarifying changes in the various quarantines and regulations as specified above.

The amendments would correlate the quarantines and regulations set forth in the above mentioned subparts with a current extension of foreign plant quarantine operations to the Virgin Islands of the United States as authorized by the Plant Quarantine Act.

A public hearing with respect to this matter was held in Washington, D. C., on March 29, 1951, pursuant to a notice published in the FEDERAL REGISTER on February 8, 1951 (16 F R. 1203)

Any person who desires to submit written data, views, or arguments in connection with the proposed amendments, should file them with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of the publication of this notice in the FEDERAL REGISTER.

(Sec. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162; Sec. 3, 33 Stat. 1270; 7 U. S. C. 143)

Done at Washington, D. C., this 24th day of September, 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53–8341; Filed, Sept. 29, 1953; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 40]

FLIGHT CHECK OF FLIGHT ENGINEERS

SUPPLEMENTAL NOTICE OF PROPOSED RULE MAKING

On September 8, 1953, the Board circulated Draft Release No. 53–20 and published as a notice of proposed rule making in the FEDERAL REGISTER on September 9, 1953 (18 F R. 5436) proposing amendments to revised Part 40 of the Civil Air Regulations which would clarify the intent of the provisions concerning check airmen and the flight checking of flight engineers. Reference is made to the notice dated September 9, 1953, and Draft Release 53–20 for a full explanation of the purpose and background of the proposed rules.

In the notice dated September 9, 1953, the Board indicated that it would give consideration to all comment submitted prior to September 25, 1953, before taking final action on the proposed rule. Meanwhile, interested persons have requested additional time for the submission of comment in order to permit further analysis of the effect of the proposed rule.

In view of the foregoing, the time for submission of comment on the proposed rule is being extended and written comment submitted prior to November 2, 1953, will be considered by the Board before taking final action on the proposed rule. Comments should be submitted in duplicate addressed to the Civil Aeronautics Board, attention of the Bureau of Safety Regulation, Washington 25, D. C. and will be available after November 4, 1953, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601–610, 52 Stat. 1007–1012, as amended; 49 U. S. C. 551–560)

Dated: September 25, 1953, at Washington, D. C.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 53–8378; Filed, Sept. 29, 1953; 8:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 8]

[Docket No. 10590]

STATIONS ON SHIPBOARD IN MARITIME SERVICES

PERIODIC CERTIFICATION OF CONDITION OF REQUIRED RADIO FACILITIES ON COMPULSORILY EQUIPPED SHIPS

The Commission having on July 15, 1953, adopted a notice of proposed rule making in the above entitled matter in which September 24, 1953, was designated as the date by which comments were to be filed and October 9, 1953, as the last date for filing comments in reply to the original comments;

It appearing, that the National Federation of American Shipping, Inc. has requested a thirty (30) day extension of time for the filing of comments in the above captioned matter, and

It further appearing, that the National Federation of American Shipping represents the bulk of the ship owners who would be affected by the proposed rule making and that representative comments from the organization would be desirable to be received before final action is taken on the proposal; and

It further appearing, that the order adopted herein is issued pursuant to section 0.143 (h) of the Commission's rules and regulations and paragraph one (1) of the Order Transferring Existing Delegations of Authority to the Chief, Safety and Special Radio Services Bureau;

It is ordered, this 24th day of September 1953, that the time within which to file comments to the above entitled matter is extended to October 23, 1953, and reply comments may be filed within ten days thereafter.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53–8369; Filed, Sept. 29, 1953; 8:54 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Office of the Secretary

SETTLEMENT OF CLAIMS UNDER THE PROVISIONS OF THE FOREIGN CLAIMS ACT OF JANUARY 2, 1942

Pursuant to the authority vested in me as Secretary of Defense, any claims, whether Army, Air Force, Navy or Marine Corps, which may be settled under the provisions of the Foreign Claims Act of January 2, 1942 (55 Stat. 880) as amended, may be settled retroactively to August 1, 1953 by any Commission or Commissions appointed by any of the above mentioned services under the provisions thereof, without regard to the service of the military tortfeasor. It is further directed that settlement of all claims cognizable under the Act of January 2, 1942, be made solely by Commissions duly appointed by the service having exclusive responsibility in each foreign country ratifying the NATO Status of Forces Agreement; and, in foreign countries, this authority likewise extends to enable such Commission or Commissions to settle claims presented under the provisions of the Act of July 3, 1943 (57 Stat. 372) as amended.

C. E. WILSON,
Secretary of Defense.

[F. R. Doc. 53-8327; Filed, Sept. 29, 1953; 8:45 a. m.]

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION OF THE IMMIGRATION AND NATURALIZATION SERVICE

MISCELLANEOUS AMENDMENTS

The following amendments to the Statement of Organization of the Immigration and Naturalization Service (17 F. R. 11613, December 19, 1952), as amended, are hereby prescribed:

1. Section 1.30 is amended by redesignating paragraphs (d) through (p) as paragraphs (e) through (q) and by adding a new paragraph (d) which, when taken with the introductory material, will read as follows:

SEC. 1.30 *Final authority; delegation to Commissioner* The Commissioner has been delegated final authority to take any action required or authorized to be taken by Chapter I of Title 8 of the Code of Federal Regulations with respect to the following matters:

* * * * *

(d) Designation, and withdrawal of designation, of ports of entry for aliens arriving by vessel or by land transportation under 8 CFR 231.6;

2. Section 1.31 is amended by redesignating paragraphs (o) through (eee) as paragraphs (p) through (fff) and by adding a new paragraph (o) which, when taken with the introductory material, will read as follows:

SEC. 1.31 *Final authority; delegation to Assistant Commissioner, Inspections and Examinations Division.* The Assistant Commissioner, Inspections and Examinations Division, has been delegated final authority to take any action required or authorized to be taken by Chapter I of Title 8 of the Code of Federal Regulations with respect to the following matters:

* * * * *

(o) Designation, and withdrawal of designation, of ports of entry for aliens arriving by vessel or by land transportation, and designation, and withdrawal of designation, of airports as international airports for entry of aliens under 8 CFR Parts 231 and 239.

3. Section 1.32 is amended to read as follows:

SEC. 1.32 *Final authority; delegation to the Assistant Commissioner, Investigations Division.* The Assistant Commissioner, Investigations Division, has been delegated final authority to take any action required or authorized to be taken by Chapter I of Title 8 of the Code of Federal Regulations with respect to the following matters:

(a) Issuance of warrants of arrest, and cancellation of warrants of arrest prior to commencement of hearings thereunder as provided in section 242 of the Immigration and Nationality Act and 8 CFR Part 242;

(b) Voluntary departure of aliens prior to issuance of warrant of arrest, or after issuance of warrant of arrest and prior to hearing as provided in sections 242 (b) and 244 (e) of the Immigration and Nationality Act and 8 CFR Parts 242 and 244; and

(c) Issuance of subpenas as provided in section 235 (a) of the Immigration and Nationality Act and 8 CFR 287.4.

4. The center heading to sections 1.70 through 1.74, and section 1.70 are amended to read as follows:

AVAILABILITY OF FILES, DOCUMENTS, RECORDS, AND REPORTS

SEC. 1.70 *Files, documents, records, and reports of the Immigration and Naturalization Service regarded as confidential.* All official files, documents, records, and reports in the offices of the Immigration and Naturalization Service of the United States Department of Justice or in the custody or control of any officer or employee of the Immigration and Naturalization Service are to be regarded as confidential. No such officer or employee may permit the disclosure or use thereof for any purpose other than for the performance of his official duties, except in the discretion of the Attorney General, or the Commissioner of Immigration and Naturalization acting for the Attorney General pursuant to the provisions of § 9.1 of Chapter I of Title 8 of the Code of Federal Regulations. Accordingly, such official files, documents, records, and reports may not be published, opened to public inspection, or made available to the public in any way unless the Attorney General, or the Commissioner, permits disclosure, either by the exercise of discretion in particular cases or, generally, through specific provisions of this section or of Chapter I of Title 8 of the Code of Federal Regulations.

Dated: September 22, 1953.

HERBERT BROWNELL, Jr.,
Attorney General.

Recommended: July 9, 1953.

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 53-8348; Filed, Sept. 29, 1953; 8:51 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

CLASSIFICATION ORDER AMENDED

SEPTEMBER 22, 1953.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427, dated August 16, 1950, 15 F R. 5639, Small Tract Classification No. 86, New Mexico No. 10, approved April 5, 1948, and amended January 25, 1949, is hereby further amended as hereinafter indicated:

SMALL TRACT CLASSIFICATION NO. 86

NEW MEXICO NO. 10

For lease and sale for home or cabin sites only:

T. 17 N., R. 9 E., N. M. P. M.,
Sec. 21, lots 1, 2, 3, 4, 5, 8, 9, 12, and NW¼NE¼.

2. All leases issued in the above described area subsequent to the date of this order shall be for a period of three years and only for the purposes specified herein.

3. All other provisions of the original order, as amended January 25, 1949, shall remain unchanged.

E. R. SMITH,
Regional Administrator

[F. R. Doc. 53-8346; Filed, Sept. 29, 1953; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

WAGE RATES IN SUGARCANE INDUSTRY; PUERTO RICO AND VIRGIN ISLANDS

NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948, as amended, (61 Stat. 929; 7 U. S. C. Sup. 1131) notice is hereby given that public hearings will be held as follows:

At San Juan, Puerto Rico, in the Conference Room of the Production and Marketing Administration Office,

Segarra Building, on October 22, 1953, at 9:30 a. m.,

At Christiansted, St. Croix, Virgin Islands, in the District Court Room, on October 26, 1953, at 9:30 a. m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1) pursuant to the provisions of section 301 (c) (1) of said act, fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico and the Virgin Islands during the calendar year 1954 on farms with respect to which applications for payments under the said act are made and (2) pursuant to the provisions of section 301 (c) (2) of said act, fair and reasonable prices for the 1953–54 Puerto Rican crop and the 1954 crop of Virgin Islands sugarcane to be paid, under either purchase or toll agreements by processors who, as producers, apply for payments under the said act.

In order to obtain the best possible information, the Department requests that all interested parties appear at the hearing to express their views and to present appropriate data with respect to wages and prices. While testimony on all points relative to the subject matters of the hearing is desired, it is especially desirable that (1) in connection with fair prices for 1953–54 crop Puerto Rican sugarcane, interested persons be prepared to make recommendations with respect to admissible deductions for selling and delivery expenses on raw sugar and molasses as listed in Schedules A and B of the price determination now in effect, and (2) in connection with wage rates for persons employed in the production, cultivation or harvesting of sugarcane, recommendations be made with respect to (a) extending the periods in the wage increases provision from two weeks to four weeks, and (b) the subjects of compensable working time and the furnishing to workers of equipment necessary to perform work assignments.

To assist interested persons in making recommendations with respect to the latter subjects, the following specifications are suggested for consideration:

Compensable working time. Compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work. If the worker is required by the producer to report to a place other than the field, such as an assembly point, stable, tractor shed, etc., time spent in transit to the field is compensable working time. Any work directly related to the principal work performed by the worker, such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp to the farm is not compensable working time. Compensable time ends upon completion of work in the field except for the operator of mechanical equipment, driver of animals or any other class of worker who is required to return to a designated place on the farm. In such cases, return transit time is compensable time.

Equipment necessary to perform work assignments. The producer shall furnish without cost to the worker any equipment required in the performance of any work assignment. However, a charge may be made for equipment furnished any worker, if necessary to insure reimbursement for the cost of such equipment in the event of its loss or destruction through negligence of the worker. Equipment includes, but is not limited to, all hand and mechanical tools and special wearing apparel, such as boots and raincoats, deemed necessary to discharge the work assignment.

The hearings, after being called to order at the time and places mentioned herein, may be continued from day to day within the discretion of the presiding officers, and may be adjourned to a later day or a different place without notice other than the announcement thereof at the hearing by the presiding officers.

A. A. Greenwood, Ward S. Stevenson and G. Laguardia are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearings.

Issued this 25th day of September 1953.

[SEAL] LAWRENCE MYERS,
Director Sugar Branch.

[F. R. Doc. 53–8383; Filed, Sept. 29, 1953; 8:57 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

ROYAL MAIL LINES, LTD., ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. section 814.

(1) Agreement No. 7765–2, between Royal Mail Lines, Limited, and N. V. Nederlandsch - Amerikaansche Stoomvaart-Maatschappij (Holland-America Line) modifies agreement 7765 to provide that the net earnings of the ships of the two companies are to be divided annually between them in equivalent ratio to the capacity of the ships provided by each company. Agreement 7765 provides that each party will provide equivalent tonnage and will maintain alternate sailings in the trades (a) between ports of the United Kingdom and Continental Europe and United States Pacific Coast ports, and (b) between ports on the Caribbean Sea and on the West Coast of South and Central America and ports on the Pacific Coast of the United States.

(2) Agreement No. 7090–3 between the Member Lines of the Straits/Pacific Conference modifies the basic agreement of that Conference (a) to provide that changes in the agreement may be made by four-fifths vote instead of the present unanimous vote, (b) to include a provision dealing with the loss of voting rights of members who discontinue berthing vessels for specified periods, and (c) to change reference in the agreement to "United States Maritime Commission" to "Federal Maritime Board"

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 25, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53–8345; Filed, Sept. 29, 1953; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended December 31, 1951, 16 F R. 12043, and June 2, 1952; 17 F R. 3818)

Abatex Dress Manufacturing Co., 817 Baker Street, Mountain Home, Ark., effective 9–18–53 to 9–17–54; 10 learners for normal labor turnover purposes (house dresses).

Angelica Uniform Co., Summerville, Mo., effective 9–17–53 to 3–16–54; 15 learners for expansion purposes (washable service apparel).

Bellcraft Manufacturing Co., Depot Street, Hartwell, Ga., effective 9–17–53 to 9–16–54; 10 percent of the factory production workers for normal labor turnover purposes (sport shirts).

Bruce Co., Inc., 120 East Fifteenth, Ottawa, Kans., effective 9–28–53 to 9–27–54; 10 per-

cent of your factory production force (men's work clothing).

Butler Shirt Co., 165 Brugh Avenue, Butler, Pa., effective 9-22-53 to 9-21-54; 10 percent of the factory production workers for normal labor turnover purposes (men's dress shirts).

Cardinal Cottons Corp., 131-141 East Chestnut Street, Coatesville, Pa., 9-25-53 to 9-24-54; 10 percent of the factory production workers for normal labor turnover purposes (women's cotton dresses).

Cluett, Peabody & Co., Inc., Lewistown, Pa., effective 9-21-53 to 3-20-54; 50 learners for expansion purposes (sport shirts).

Ely & Walker, 223 North Third, St. Joseph, Mo., effective 9-25-53 to 9-24-54; 10 percent of the factory production workers for normal labor turnover purposes (men's and boys' heavy outerwear).

Eugenia Sportswear, 873 Peace Street, Hazleton, Pa., effective 9-17-53 to 9-16-54; 10 learners for normal labor turnover purposes (children's jackets and snowsuits).

Greensboro Manufacturing Corp., 1900 East Bessemer Avenue, Greensboro, N. C., effective 9-25-53 to 9-24-54; 10 percent of the factory production workers for normal labor turnover purposes (flannelet and cotton night gowns and pajamas for women and children).

Kamehameha Garment Co., Ltd., 29 Shipman Street, Hilo, T. H., effective 9-17-53 to 9-16-54; 10 percent of the factory production workers or 10 learners, whichever is greater. This certificate does not authorize the employment of learners at subminimum wage rates in the production of ladies' skirts and lined jackets (women's sportswear).

Leecraft Manufacturing Corp., Spencer, Tenn., effective 9-21-53 to 9-20-54; 10 percent of your total number of factory production workers (sport shirts).

Morris Sportswear Co., 219 Arch Street, Nanticoke, Pa., effective 9-18-53 to 9-17-54; 5 learners for normal labor turnover purposes (ladies' sportswear).

Palmetto Garment Co., Inc., Goldsmith Street, Greenville, S. C., effective 9-26-53 to 9-25-54; 10 learners for normal labor turnover purposes (children's cotton underwear and outerwear).

Port City Hosiery Mills, Inc., 715 Greenfield Street, Wilmington, N. C., effective 10-6-53 to 10-5-54; 10 percent of the factory production force (women's lingerie).

Tennessee Overall Co., 401 North Atlantic Street, Tullahoma, Tenn., effective 9-21-53 to 3-20-54; 10 learners for expansion purposes (denim overalls and work pants).

Troutman Shirt Co., Inc., Troutman, N. C., effective 9-24-53 to 9-23-54; 10 percent of the factory production workers for normal labor turnover purposes (men's work shirts and sport shirts).

Wentworth Manufacturing Co., 425 Pleasant Street, Fall River, Mass., effective 9-25-53 to 9-24-54; 10 percent of the factory production force (ladies' cotton house dresses).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950, 15 F. R. 6888; and July 13, 1953, 18 F. R. 3292).

The Boss Manufacturing Co., 107 North Boss Street, Kewanee, Ill., effective 9-19-53 to 9-18-54; 10 percent of the total number of machine stitchers (work gloves).

The Boss Manufacturing Co., 3012 South Adams Street, Peoria, Ill., effective 9-19-53 to 9-18-54; 10 percent of the total number of machine stitchers (work gloves).

The Boss Manufacturing Co., 320 Ballard Street, Lebanon, Ind., effective 9-19-53 to 9-18-54; 10 learners (work gloves).

Wells Lamont Corp., Elsberry, Mo., effective 9-17-53 to 9-16-54; 10 percent of the total number of machine stitchers (full leather and leather palm work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951, 16 F. R. 10733).

C. A. Wanner, Inc., 100 South Richmond Street, Fleetwood, Pa., effective 9-22-53 to 9-21-54; 5 learners.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Glove Slide & Film Co., 205 North Monroe Street, Albion, Mich., effective 9-22-53 to 12-21-53; 1 learner; hand tinting stereopticon slides, 300 hours, not less than 65 cents an hour for the first 160 hours and not less than 70 cents an hour for the remaining 140 hours (manufacture of stereopticon slides).

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Hellmich Manufacturing Corp., Bayamon, P. R., effective 9-14-53 to 3-13-54; 24 learners; molders, 200 hours at 35 cents an hour, finishers, 200 hours at 35 cents an hour, inspectors, 160 hours at 35 cents an hour (manufacture of plastic dinnerware).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 21st day of September 1953.

MILTON BROOKE,
Authorized Representative of the Administrator

[F. R. Doc. 53-8329; Filed, Sept. 29, 1953; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5766]

AIR AMERICA, INC., ENFORCEMENT PROCEEDING

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the Air America Enforcement Proceeding.

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding now assigned for October 1, 1953, is hereby postponed to October 6, 1953, 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 25, 1953.

[SEAL] FRANCIS W BROWN,
Chief Examiner.

[F. R. Doc. 53-8377; Filed, Sept. 29, 1953; 8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8897, 8900]

COWLES BROADCASTING CO. AND MURPHY BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Cowles Broadcasting Company, Des Moines, Iowa, Docket No. 8897, File No. BPCT-315; Murphy Broadcasting Company, Des Moines, Iowa, Docket No. 8900, File No. BPCT-370; for construction permits for new television broadcast station.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 8 in Des Moines, Iowa; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters dated August 14, 1953, that their applications were mutually exclusive, that a hearing would be necessary, and that certain questions were raised as the result of deficiencies of a legal, financial and technical nature in their applications; and that Murphy Broadcasting Company was further advised by the said letter that the question of whether its proposed antenna system and site would constitute a hazard to air navigation was unresolved; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto and the replies to the above letters, the Commissiol finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory, and that each of the above-named applicants is legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on October 23, 1953, in Washington, D. C., to determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience or necessity in the light of the record made with respect to the significant differences between the applications as to:

(1) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(2) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(3) The programming service proposed in each of the above-entitled applications.

Released. September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8367; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket Nos. 10196, 10411]

PADUCAH BROADCASTING CO. AND TULIA BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Paducah Broadcasting Company Paducah, Texas, Docket No. 10196, File No. BP-8208; Tulia Broadcasting Company, Tulia, Texas, Docket No. 10411, File No. BP-8595; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing on February 18 ,1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceedings;

It is ordered, That hearing in the above-entitled proceeding be held at 10:00 a. m., November 2, 1953, in Washington, D. C.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8351; Filed, Sept. 29, 1953; 8:51 a. m.]

[Docket No. 10215]

ARTHUR WESTLUND

ORDER SCHEDULING HEARING

In re application of Arthur Westlund, Walnut Creek, California, Docket No. 10215, File No. BP-8321, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on June 4, 1952; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 2, 1953, in Washington, D. C.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8352; Filed, Sept. 29, 1953; 8:51 a. m.]

[Docket No. 10346]

JAMES GERITY, JR.

ORDER SCHEDULING HEARING

In re application of James Gerity, Jr., Pontiac, Michigan, Docket No. 10346, File No. BP-8651, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was redesignated for hearing on August 5, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 5, 1953, in Washington, D. C.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8353; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket Nos. 10412, 10413]

SOUTHWEST BROADCASTING CO. AND KENNEDY BROADCASTING CO., LTD.

ORDER SCHEDULING HEARING

In re applications of Southwest Broadcasting Company, San Antonio, Texas, Docket No. 10412, File No. BP-8270; Kennedy Broadcasting Company, Ltd., Kennedy Texas, Docket No. 10413; File No. BP-8578; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing in a consolidated proceeding on February 18, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 9, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8354; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket No. 10414]

RICHLAND BROADCASTING CORP.

ORDER SCHEDULING HEARING

In re application of Richland Broadcasting Corporation, Richland, Wisconsin, Docket No. 10414, File No. BP-8584, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on February 18, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 5, 1953, in Washington, D C.

Released: September 25, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8355; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket No. 10418]

CLINTON RADIO ADVERTISING CO.

ORDER SCHEDULING HEARING

In re application of T. E. Addison tr/as Clinton Radio Advertising Company, Clinton, South Carolina, Docket No. 10418, file No. BP-8204, for a construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on February 25, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 12, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8356; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket No. 10428]

LATROBE BROADCASTERS

ORDER SCHEDULING HEARING

In re application of Henry J. Mahady, Paul W Mahady, L. Kenneth Harkins, Louis Rosenberg, and Kenneth E. Rennekamp, d/b as Latrobe Broadcasters, Latrobe, Pennsylvania, Docket No. 10428, File No. BP-8073; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on March 11, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., December 3, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8357; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket No. 10429]

DARRELL E. YATES

ORDER SCHEDULING HEARING

In re application of Darrell E. Yates, Jacksonville, Texas, Docket No. 10429, File No. BP-8285; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on March 11, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 23, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8358; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket Nos. 10450, 10451]

FRANKLIN COUNTY BROADCASTING CO. AND EDWARDSVILLE BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Leslie P Ware tr/as Franklin County Broadcasting Company, Washington, Missouri; Docket No. 10450, File No. BP-8241, John W. Lewis and Melvin B. Ingram, Jr., d/b as Edwardsville Broadcasting Company, Edwardsville, Illinois; Docket No. 10451, File No. BP-8663; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing in a consolidated proceeding on April 8, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 30, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8359; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket No. 10480]

FRONTIER BROADCASTING CO. (KFBC)

ORDER SCHEDULING HEARING

In re application of Frontier Broadcasting Company (KFBC) Cheyenne, Wyoming, Docket No. 10480, File No. BMP-5864; for additional time to complete construction.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on April 22, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 16, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8360; Filed, Sept. 29, 1953; 8:52 a. m.]

[Docket Nos. 10486, 10601]

GEORGE A. SMITH, JR., AND TRINITY DISPATCH CO.

ORDER CONTINUING HEARING

In re applications of George A. Smith, Jr., Dallas, Texas, Docket No. 10486, File No. 271-C2-P-53, for construction permit for a station in the Domestic Public Land Mobile Radio Service; O. P. Leonard, Jr., d/b as Trinity Dispatch Company, Fort Worth, Texas, Docket No. 10601, File Nos. 1169-C2-L-53 and 1574-C2-ML-53, for licenses to cover construction permits in the Domestic Public Land Mobile Radio Service.

All participants having consented to waiver of § 1.745 of the Commission's rules to permit early consideration of the petition and having consented to its grant, *It is ordered,* That the petition for continuance of hearing, filed by George A. Smith, Jr., requesting that hearing in the above-entitled proceeding now scheduled for September 28, 1953, be continued to 10:00 a. m., October 23, 1953, is granted.

Dated: September 23, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8363; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket No. 10505]

DONZE ENTERPRISES, INC. (KSGM)

ORDER SCHEDULING HEARING

In re application of Donze Enterprises, Inc. (KSGM), Ste. Genevieve Missouri, Docket No. 10505, File No. BP-8488; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on the 13th day of May 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., December 7, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8361; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket Nos. 10507, 10508]

HILLTOP MANAGEMENT CORP. AND NORTHERN ALLEGHENY BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Hilltop Management Corporation, Kane, Pennsylvania, Docket No. 10507, File No. BP-8577; Northern Allegheny Broadcasting Co., Kane, Pennsylvania, Docket No. 10508, File No. BP-8671, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing in a consolidated proceeding on May 13, 1953;

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 18, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W. PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8362; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket Nos. 10527, 10528]

SOUTH PLAINS BROADCASTERS AND TEXAS TELECASTING, INC.

ORDER SCHEDULING HEARING

In re applications of Rex Webster, tr/as South Plains Broadcasters, Slaton, Texas, Docket No. 10527, File No. BP-8291, Texas Telecasting, Incorporated, Lubbock, Texas, Docket No. 10528, File No. BP-8772; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing in a consolidated proceeding on May 28, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., November 18, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8363; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket Nos. 10547, 10548, 10549]

SOUTHERN BAPTIST COLLEGE (KRLW) ET AL.

ORDER SCHEDULING HEARING

In re applications of Southern Baptist College (KRLW) Walnut Ridge, Arkansas, Docket No. 10547, File No. BP-8372; Sam C. Phillips, Clarence A. Camp and James E. Connolly d/b as Tri-State Broadcasting Service, Memphis, Tennessee, Docket No. 10548, File No. BP-8775; Southern Broadcasting Service, Inc., Memphis, Tennessee, Docket No. 10549, File No. BP-8802; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled applications which were designated for hearing in a consolidated proceeding on June 17, 1953; and

It appearing, that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m. December 9, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8364; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket No. 10587]

GREEN BAY BROADCASTING CO. (WMAW)

ORDER SCHEDULING HEARING

In re application of Green Bay Broadcasting Company (WMAW), Menominee, Michigan, Docket No. 10587, File No. BMP-6064; for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of September 1953;

The Commission having under consideration the above-entitled application which was designated for hearing on July 8, 1953; and

It appearing that no date was previously scheduled by the Commission in the above-entitled proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., December 14, 1953, in Washington, D. C.

Released: September 24, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8365; Filed, Sept. 29, 1953; 8:53 a. m.]

[Docket Nos. 10614, 10615]

ERIE TELEVISION CORP. AND COMMODORE PERRY BROADCASTING SERVICE, INC.

ORDER CONTINUING HEARING

In re applications of Erie Television Corporation, Erie, Pennsylvania, Docket No. 10614, File No. BPCT-667; Commodore Perry Broadcasting Service, Inc., Erie, Pennsylvania, Docket No. 10615, File No. BPCT-1283; for construction permits for new Television stations.

The Commission having under consideration a joint motion, filed on September 23, 1953, by Erie Television Corporation and Commodore Perry Broadcasting Service, Inc., requesting that the hearing scheduled herein for September 28, 1953, be continued until 9:00 a. m., November 2, 1953;

It appearing, That counsel for the Chief of the Commission's Broadcast Bureau has consented to the above continuance and to immediate consideration of the motion;

It is ordered, This 24th day of September 1953, that the motion is granted, and the hearing is continued until November 2, 1953, at 9:00 a. m.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DEE W PINCOCK,
Acting Secretary.

[F. R. Doc. 53-8366; Filed, Sept. 29, 1953; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1688, G-1828, G-1998, G-2026, G-2132, G-2133]

SOUTHERN UNION GAS CO., ET AL.

NOTICE OF ORDER DENYING PETITION FOR MODIFICATION OF PREVIOUS ORDER

SEPTEMBER 24, 1953.

In the matters of Southern Union Gas Company Docket Nos. G-1688, G-2132; El Paso Natural Gas Company, Docket Nos. G-1828, G-1998, G-2133; West Texas Gas Company, Docket No. G-2026.

Notice is hereby given that on September 21, 1953, the Federal Power Commission issued its order adopted September 17, 1953, in the above-entitled matters, denying the petition of El Paso Natural Gas Company for modification of the order of July 29, 1953, relating to Docket Nos. G-1998 and G-2026.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8330; Filed, Sept. 29, 1953; 8:46 a. m.]

[Docket No. G-1857]

KANSAS-NEBRASKA NATURAL GAS CO., INC.

NOTICE OF ORDER EXTENDING TIME FOR ACCEPTANCE OF CERTIFICATE

SEPTEMBER 24, 1953.

Notice is hereby given that on September 18, 1953, the Federal Power Commission issued its order adopted September 17, 1953, further modifying decision of Presiding Examiner and order of February 25, 1953 (18 F R. 1425), by extending time for acceptance of certificate in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8331; Filed, Sept. 29, 1953; 8:46 a. m.]

[Docket No. G-1888]

NEVADA NATURAL GAS PIPE LINE CO.

NOTICE OF PETITION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 24, 1953.

Take notice that on August 28, 1953, Nevada Natural Gas Pipe Line Company (Applicant) a Nevada corporation with its principal office in Las Vegas, Nevada, filed a petition to amend the certificate of public convenience and necessity authorized by order issued on June 23, 1952, as amended March 4, 1953, in Docket No. G-1888.

Applicant requests that the Commission rescind its order of March 4, 1953, authorizing petitioner to construct and operate 114 miles of 12¾-inch pipeline, in lieu of the 114 miles of 10¾-inch pipeline authorized by order of June 23, 1952, extending from the proposed connection with the facilities of El Paso Natural Gas Company near Topock, Arizona, to a point in the vicinity of Las Vegas and

Henderson, Nevada. The estimated cost of constructing the now authorized 12¾-inch pipeline will exceed by approximately $250,000 the estimated cost of constructing the 10¾-inch pipeline. Applicant states that an adequate supply of 10¾-inch pipe is assured and that the saving of $250,000 in construction cost outweighs any long time advantages to be gained by construction with the 12¾-inch pipe.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C. in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 14th day of October 1953. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8332; Filed Sept. 29, 1953; 8:46 a. m.]

[Docket No. G-2207]

SOUTHERN NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

SEPTEMBER 24, 1953.

Notice is hereby given that on September 21, 1953, the Federal Power Commission issued its order adopted September 17, 1953, in the above-entitled matter, approving abandonment of natural-gas facilities by sale to Alabama Gas Corporation.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8333; Filed, Sept. 29, 1953; 8:46 a. m.]

[Docket No. IT-5905]

OTTER TAIL POWER CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA

SEPTEMBER 24, 1953.

Notice is hereby given that on September 21, 1953, the Federal Power Commission issued its order adopted September 17, 1953, authorizing transmission of electric energy to Canada, superseding authorization of March 15, 1951 (16 F. R. 2689) and releasing amendatory Presidential Permit in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8334; Filed, Sept. 29, 1953; 8:46 a. m.]

[Project No. 831]

SUPERIOR PACKING CO.

NOTICE OF ORDER ISSUING NEW LICENSE (MINOR)

SEPTEMBER 24, 1953.

Notice is hereby given that on July 7, 1953, the Federal Power Commission issued its order adopted July 2, 1953, issuing new license (Minor) in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 53-8335; Filed, Sept. 29, 1953; 8:46 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation 28]

STRAIGHT (DRESSMAKERS' OR COMMON) PINS

NOTICE OF INVESTIGATION

Upon application of Vail Manufacturing Company, Chicago, Illinois, and others, received September 23, 1953, the United States Tariff Commission, on the 24th day of September 1953, under the authority of section 7 of the Trade Agreements Extension Act of 1951, as amended, and section 332 of the Tariff Act of 1930, instituted an investigation to determine whether straight (dressmakers' or common) pins provided for in paragraph 350 of the Tariff Act of 1930, are, as a result in whole or in part of the duty or other customs treatment reflecting concessions granted thereon under the General Agreement on Tariffs and Trade, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.

Inspection of application. The application filed in this case is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets, NW., Washington, D. C., and in the New York office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

I certify that the above investigation was instituted by the Tariff Commission on the 24th day of September 1953.

Issued: September 25, 1953.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 53-8350; Filed, Sept. 29, 1953; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28495]

LUMBER FROM CALIFORNIA TO POINTS GENERALLY EAST OF ROCKY MOUNTAINS

APPLICATION FOR RELIEF

SEPTEMBER 25, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Lumber and other forest products, carloads.

From: Artois, Grapit, Greenwood, Kirkwood, Orland, Willows, and Wyo, Calif.

To: Points in the United States, generally east of the Rocky Mountains.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: W J. Prueter, Agent, tariff I. C. C. No. 1556, supp. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-8339; Filed, Sept. 29, 1953; 8:47 a. m.]

[4th Sec. Application 28496]

ANHYDROUS AMMONIA FROM EL DORADO, ARK., TO BEAUMONT, PORT ARTHUR, AND CHAISON, TEX.

APPLICATION FOR RELIEF

SEPTEMBER 25, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers.

Commodities involved: Anhydrous ammonia, in tank-car loads.

From: El Dorado, Ark.

To: Beaumont, Port Arthur, and Chaison, Tex.

Grounds for relief: Circuitous routes, market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, tariff I. C. C. No. 3099, supp. 161.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Acting Secretary.

[F. R. Doc. 53-8339; Filed, Sept. 29, 1953; 8:47 a. m.]